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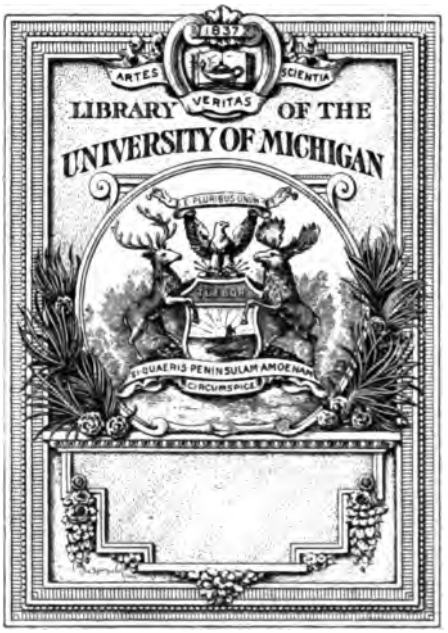
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DIGEST AND MANUAL

OF

The Rules and Practice of the House of Representatives of the United States

Constitution of the United States
Jefferson's Manual :: The Rules
of the House of Representatives

SIXTIETH CONGRESS : : : FIRST SESSION

Prepared by ASHER C. HINDS
Pursuant to a resolution of the House passed
December 2, 1907

WASHINGTON
GOVERNMENT PRINTING OFFICE
1908

Resolved, That there be printed 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Sixtieth Congress, the same to be bound and distributed under the direction of the Speaker and the Clerk of the House.

PREFACE.

The authority for the ordinary procedure of the House of Representatives is derived from four sources: First, the Constitution; second, the Rules adopted by the House under authority given by the Constitution; third, those principles of Jefferson's Manual which do not conflict with the Rules; and fourth, the precedents of the House itself, comprising chiefly the decisions of the Chair. In certain cases, also, the House is governed by provisions of the statutes, but these are few and do not affect the ordinary procedure. Before the House has adopted rules the general parliamentary law of the land is recognized as the authority for procedure, and even after the adoption of rules it has been invoked in rare instances where the law of the House has been silent.

This edition contains the Constitution, the Manual, and the Rules, with the special indexes to each. In addition the Digest of Precedents contains references to the other three sources of authority and to the statutes, making it in effect an index as well as a digest of the whole field of the House's procedure. In preparing this Digest an effort has been made to have each topic as complete as possible, cross references being generally avoided. Each citation is accompanied by references to the sources of authority, generally the Journal and Congressional Record, and in addition there has been included in parentheses the number indicating the section of the "Parliamentary Precedents of the House of Representatives" which treats of the subject. References to statutes and other authorities, which are used rarely, are brief, and the larger portion of the Digest is devoted to those topics which the Member needs to consult often and with expedition during the proceedings of the House.

The annotations of the Constitution have been completed for this edition up to and including 200 U. S.

A. C. H.

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ARTICLE. I.

SECTION. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Hayburn's case (notes), 2 Dall., 409; Field *v.* Clark, 143 U. S., 649.

SECTION. 2. [1]The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have

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expressing their unanimous conviction that it might essentially tend to advance the interests of the Union if the States by which they were respectively delegated would concur, and use their endeavors to procure the concurrence of the other States, in the appointment of commissioners to meet at Philadelphia on the second Monday of May following, to take into consideration the situation of the United States; to devise such further provisions as should appear to them necessary to render the Constitution of the Federal Government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled as, when agreed to by them and afterwards confirmed by the Legislatures of every State, would effectually provide for the same.

Congress, on the 21st of February, 1787, adopted a resolution in favor of a convention, and the Legislatures of those States which had not already done so (with the exception of Rhode Island) promptly appointed delegates. On the 25th of May, seven States having convened, George Washington, of Virginia, was unanimously elected President, and the consideration of the proposed constitution was commenced. On the 17th of September, 1787, the Constitution as engrossed and agreed upon was signed by all the members present, except Mr. Gerry, of Massachusetts, and Messrs. Mason and Randolph, of Virginia. The president of the convention transmitted it to Congress, with a resolution stating how the proposed Federal Government should be put in operation, and an explanatory letter. Congress, on the 28th of September, 1787, directed the Constitution so framed, with the resolutions and letter concerning the same, to "be transmitted to the several Legislatures in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention."

On the 4th of March, 1789, the day which had been fixed for commencing the operations of Government under the new Constitution, it had been ratified by the conventions chosen in each State to consider it, as follows: Delaware, December 7, 1787; Pennsylvania, December 12, 1787; New Jersey, December 18, 1787; Georgia, January 2, 1788; Connecticut, January 9, 1788; Massachusetts, February 6, 1788; Maryland, April 28, 1788; South Carolina, May 23, 1788; New Hampshire, June 21, 1788; Virginia, June 26, 1788; and New York, July 26, 1788.

The President informed Congress, on the 28th of January, 1790, that North Carolina had ratified the Constitution November 21, 1789; and he informed Congress on the 1st of June, 1790, that Rhode Island had ratified the Constitution May 29, 1789. Vermont, in convention, ratified the Constitution January 10, 1791, and was, by an act of Congress approved February 18, 1791, "received and admitted into this Union as a new and entire member of the United States."

the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Ex parte Yarbrough, 110 U. S., 651; Wiley *v.* Sinkler, 179 U. S., 58.

[2] No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

[3] * [Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Dred Scott *v.* Sandford, 19 Howard, 393; Veazie Bank *v.* Fenno, 8 Wall., 533; Scholey *v.* Rew, 23 Wall., 331; De Treville *v.* Smalls, 98 U. S. 517; Gibbons *v.* District of Columbia, 116 U. S., 404; Pollock *v.* Farmers' Loan & Trust Co. (Income Tax case), 157 U. S., 429; Pollock *v.* Farmers' Loan & Trust Co. (Rehearing), 158 U. S., 601; Thomas *v.* United States, 192 U. S., 363.

[4] When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

[5] The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

* The clause included in brackets is amended, in respect to apportionment of Representatives, by the 14th amendment, 2d section, p. 45.

SECTION. 3. [1] The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

[2] Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

[3] No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

[4] The Vice President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

[5] The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.

[6] The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

[7] Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of honor, Trust or Profit under the United

States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

SECTION. 4. [1] The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the places of chusing Senators.

Ex parte Siebold, 100 U. S., 371; Ex parte Clarke, 100 U. S., 399; Ex parte Yarborough, 110 U. S., 651; United States *v.* Waddell et al., 112 U. S., 76; In re Coy, 127 U. S., 731.

[2] The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by law appoint a different Day.

SECTION. 5. [1] Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

United States *v.* Ballin, 144 U. S., 1; In re Loney, 134 U. S., 317.

[2] Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two thirds, expel a Member.

Anderson *v.* Dunn, 6 Wh., 204; Kilbourn *v.* Thompson, 103 U. S., 168; United States *v.* Ballin, 144 U. S., 1; In re Chapman, 166 U. S., 661.

[3] Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

Field *v.* Clark, 143 U. S., 649; United States *v.* Ballin, 144 U. S., 1; Twin City Bank *v.* Nebeker, 167 U. S., 196; Wilkes County *v.* Coler, 180 U. S., 506.

[4] Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

SECTION 6. [1] The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other place.

Cox v. M'Clenachan, 3 Dall., 478; Kilbourn v. Thompson, 103 U. S., 168.

[2] No Senator or Representative shall, during the Time for which he was elected, be appointed to any Civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been encreased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

SECTION 7. [1] All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Field v. Clark, 143 U. S., 649; Twin City Bank v. Nebeker, 167 U. S., 196.

[2] Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by

two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Field *v.* Clark, 143 U. S., 649; United States *v.* Ballin, 144 U. S., 1; Twin City Bank *v.* Nebeker, 167 U. S., 196; La Abra Silver Mining Co. *v.* United States, 175 U. S., 423; Wilkes County *v.* Coler, 180 U. S., 506.

[3]Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Field *v.* Clark, 143 U. S., 649; United States *v.* Ballin, 144 U. S., 1; Fourteen Diamond Rings *v.* United States, 183 U. S., 176.

SECTION 8. The Congress shall have Power [1]To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States;

Hylton *v.* United States, 3 Dall., 171; McCulloch *v.* State of Maryland, 4 Wh., 316; Loughborough *v.* Blake, 5 Wh., 317; Osborn *v.* Bank of the United States, 9 Wh., 738; Weston et al. *v.* City Council of Charleston, 2 Pet., 449; Dobbins *v.* The Commissioners of Erie County, 16 Pet., 435; License Cases, 5 How., 504; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; McGuire *v.* The Commonwealth, 3 Wall., 387; Van Allen *v.* The Assessors, 3 Wall., 573; Bradley *v.* The People, 4 Wall., 459: License Tax Cases, 5 Wall., 462; Pervear *v.* The Commonwealth, 5 Wall., 475; Woodruff *v.* Parham, 8 Wall., 123; Hinson *v.* Lott, 8 Wall., 148; Veazie Bank *v.* Fenno, 8 Wall., 533; The Collector *v.* Day, 11 Wall., 113; United States *v.* Singer, 15 Wall., 111; State tax on foreign-held bonds, 15 Wall., 300; United States *v.* Railroad Company, 17 Wall., 322; Railroad Company *v.* Peniston, 18 Wall., 5; Scholey *v.* Rew, 23 Wall., 331;

National Bank *v.* United States, 101 U. S., 1; Springer *v.* United States, 102 U. S., 586; Legal Tender Case, 110 U. S., 421; Head Money Cases, 112 U. S., 580; Van Brocklin *v.* State of Tennessee, 117 U. S., 151; Field *v.* Clark, 143 U. S., 649; New York, Lake Erie and Western R. R. *v.* Pennsylvania, 153 U. S., 628; Pollock *v.* Farmers' Loan and Trust Co. (Income Tax Case), 157 U. S., 429; United States *v.* Realty Company, 163 U. S., 427; In re Kollock, 165 U. S., 526; Nichols *v.* Ames, 173 U. S., 509; Knowlton *v.* Moore, 178 U. S., 41; De Lima *v.* Bidwell, 182 U. S., 1; Dooley *v.* United States, 182 U. S., 222; Fourteen Diamond Rings *v.* United States, 183 U. S., 176; Felsenheld *v.* United States, 186 U. S., 126; Thomas *v.* United States, 192 U. S., 363; Binns *v.* United States, 194 U. S., 486; South Carolina *v.* United States, 199 U. S., 437.

[2] To borrow Money on the credit of the United States;

McCulloch *v.* The State of Maryland, 4 Wh., 316; Weston et al. *v.* The City Council of Charleston, 2 Pet., 449; Bank of Commerce *v.* New York City, 2 Black, 620; Bank Tax Cases, 2 Wall., 200; The Bank *v.* The Mayor, 7 Wall., 16; Bank *v.* Supervisors, 7 Wall., 26; Hepburn *v.* Griswold, 8 Wall., 603; National Bank *v.* Commonwealth, 9 Wall., 353; Parker *v.* Davis, 12 Wall., 457; Legal Tender Case. 110 U. S., 421; Home Insurance Company *v.* New York, 134 U. S., 594.

[3] To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Gibbons *v.* Ogden, 9 Wh., 1; Brown et al. *v.* State of Maryland, 12 Wh., 419; Wilson et al. *v.* Black Bird Creek Marsh Company, 2 Pet., 245; Worcester *v.* The State of Georgia, 6 Pet., 515; City of New York *v.* Miln, 11 Pet., 102; United States *v.* Coombs, 12 Pet., 72; Holmes *v.* Jennison et al., 14 Pet., 540; License Cases, 5 How., 504; Passenger Cases, 7 How., 283; Nathan *v.* Louisiana, 8 How., 73; Mager *v.* Grima et al., 8 How., 490; United States *v.* Marigold, 9 How., 560; Cowley *v.* Board of Wardens of Port of Philadelphia, 12 How., 299; The Propeller Genesee Chief et al. *v.* Fitzhugh et al., 12 How., 443; State of Pennsylvania *v.* The Wheeling Bridge Company, 13 How., 518; Veazie et al. *v.* Moor, 14 How., 568; Smith *v.* State of Maryland, 18 How., 71; State of Pennsylvania *v.* The Wheeling and Belmont Bridge Company et al., 18 How., 421; Sinnitt *v.* Davenport, 22 How., 227; Foster et al. *v.* Davenport et al., 22 How., 244; Conway et al. *v.* Taylor's ex., 1 Black, 603; United States *v.* Holliday, 3 Wall., 407; Gilman *v.* Philadelphia, 3 Wall., 713; The Passaic Bridges, 3 Wall., 782; Steamship Company *v.* Port Wardens, 6 Wall., 31; Crandall *v.* State of Nevada, 6 Wall., 35; White's Bank *v.* Smith, 7 Wall., 646; Waring *v.* The Mayor, 8 Wall., 110; Paul *v.* Virginia, 8 Wall., 168; Thomson *v.* Pacific Railroad, 9 Wall., 579; Downham et al. *v.* Alexandria Council, 10 Wall., 173; The Clinton Bridge, 10 Wall., 454; The Daniel Ball, 10 Wall., 557; Liverpool Insurance Company *v.* Massachusetts, 10 Wall., 566; The Montello, 11 Wall., 411; Ex parte McNiel, 13 Wall., 236; State freight-tax, 15 Wall., 232; State tax on railway gross receipts, 15 Wall., 284; Osborn *v.* Mobile, 16 Wall., 479; Railroad Company *v.* Fuller, 17 Wall., 560; Bartemeyer *v.* Iowa, 18 Wall., 129; The Delaware railroad tax, 18 Wall., 206; Peete *v.* Morgan, 19 Wall., 581; Railroad Company *v.* Richmond, 19 Wall., 584; Railroad Company *v.* Maryland, 21 Wall., 456; The Lottawanna, 21 Wall., 558; Welton *v.* The State of Missouri, 91 U. S., 275; Henderson et al. *v.* The Mayor of the City of New York, 92 U. S., 259; Chy Lung *v.* Freeman et al., 92 U. S., 275; South Carolina *v.* Georgia et al., 93 U. S., 4; Sherlock et al. *v.* Alling, adm., 93 U. S., 99; United States *v.* Forty-three Gallons of Whisky, etc. 93 U. S.,

188; Foster *v.* Master and Wardens of the Port of New Orleans, 94 U. S., 246; McCready *v.* Virginia, 94 U. S., 391; Railroad Co. *v.* Husen, 95 U. S., 465; Pound *v.* Turck, 95 U. S., 459; Railroad Co. *v.* Husen, 95 U. S., 465; Hall *v.* De Cuir, 95 U. S., 485; Pensacola Tel. Co. *v.* W. U. Tel. Co., 96 U. S., 1; Beer Co. *v.* Massachusetts, 97 U. S., 25; Cook *v.* Pennsylvania, 97 U. S., 566; Transportation Co. *v.* Wheeling, 99 U. S., 273; Packet Co. *v.* St. Louis, 100 U. S., 423; Guy *v.* Baltimore, 100 U. S., 434; Kirtland *v.* Hotchkiss, 100 U. S., 491; Machine Co. *v.* Gage, 100 U. S., 676; Trade-mark Cases, 100 U. S., 82; Wilson *v.* McNamee, 102 U. S. 572; Tiernan *v.* Rinker, 102 U. S., 123; Lord *v.* Steamship Co., 102 U. S., 541; County of Mobile *v.* Kimball, 102 U. S., 691; Telegraph Co. *v.* Texas, 105 U. S., 460; Bridge Co. *v.* United States, 105 U. S., 470; Wiggins Ferry Co. *v.* East St. Louis, 107 U. S., 365; Turner *v.* Maryland, 107 U. S., 38; Escamba Company *v.* Chicago, 107 U. S., 678; Miller *v.* Mayor of New York, 109 U. S., 385; Moran *v.* New Orleans, 112 U. S., 69; Foster *v.* Kansas, 112 U. S., 201; Head Money Cases, 112 U. S., 580; Cardwell *v.* American Bridge Co., 113 U. S., 205; Cooper Manufacturing Co. *v.* Ferguson et al., 113 U. S., 727; Gloucester Ferry Co. *v.* Pennsylvania, 114 U. S., 196; Brown et al. *v.* Houston, Collector, et al., 114 U. S., 622; Railroad Commission Cases, 116 U. S., 307, 347, 352; Walling *v.* Michigan, 116 U. S., 446; Coe *v.* Errol, 116 U. S., 517; Pickard *v.* Pullman Southern Car Co., 117 U. S., 34; Tennessee *v.* Pullman Southern Car Co., 117 U. S., 51; Morgan *v.* Louisiana, 118 U. S., 455; Wabash, St. Louis & Pacific Railway *v.* Illinois, 118 U. S., 557; United States *v.* Kagama, 118 U. S., 375; Philadelphia Fire Association *v.* New York, 119 U. S., 110; Johnson *v.* Chicago & Pacific Elevator Co., 119 U. S., 388; Robbins *v.* Shelby County Taxing District, 120 U. S,, 489; Corson *v.* Maryland, 120 U. S., 502; Fargo *v.* Michigan, 121 U. S., 230; Philadelphia & Southern Steamship Co. *v.* Pennsylvania, 122 U. S., 326; Western Union Telegraph Co. *v.* Pendleton, 122 U. S., 347; Sands *v.* Manistee River Improvement Co., 123 U. S., 288; Smith *v.* Alabama, 124 U. S., 465; Willamette Iron Bridge Co. *v.* Hatch, 125 U. S., 1; Pembina Mining Co. *v.* Pennsylvania, 125 U. S., 181; Bowman *v.* Chicago & Northwestern Railway Co., 125 U. S., 465; Western Union Telegraph Co. *v.* Massachusetts, 125 U. S., 530; California *v.* Pacific Railroad Co., 127 U. S., 1; Ratterman *v.* Western Union Telegraph Co., 227 U. S., 411; Leloup *v.* Port of Mobile, 127 U. S., 640; Kidd *v.* Pearson, 128 U. S., 1; Asher *v.* Texas, 128 U. S. 129; Nashville, Chattanooga, etc., Railway *v.* Alabama, 128 U. S., 96; Stoutenburgh *v.* Hennick, 129 U. S., 141; Kimmish *v.* Ball, 129 U. S., 217; Western Union Telegraph Co. *v.* Alabama, 132 U. S., 472; Fritts *v.* Palmer, 132 U. S., 282; Louisville, New Orleans, etc., R. R. *v.* Mississippi, 133 U. S., 587; Leisy *v.* Harding, 135 U. S., 100; Cherokee Nation *v.* Southern Kansas R. R., 135 U. S., 641; McCall *v.* California, 136 U. S., 104; Norfolk & Western R. R. Co. *v.* Pennsylvania, 136 U. S., 114; Minnesota *v.* Barber, 136 U. S., 318; Texas & Pacific R. R. *v.* Southern Pacific Co., 137 U. S., 48; Brimmer *v.* Rebman, 138 U. S., 78; Manchester *v.* Massachusetts, 139 U. S., 240; In re Rahrer, 140 U. S., 545; Pullman Palace Car Co. *v.* Pennsylvania, 141 U. S., 18; Massachusetts *v.* Western Union Telegraph Co., 141 U. S., 40; Crutcher *v.* Kentucky, 141 U. S., 47; Voight *v.* Wright, 141 U. S., 62; Henderson Bridge Co. *v.* Henderson, 141 U. S., 679; In re Garnett, 141 U. S., 1; Maine *v.* Grand Trunk Railway Co., 142 U. S., 217; Nishimura Ekiu *v.* The United States, 142 U. S., 651; Pacific Express Co. *v.* Seibert, 142 U. S., 339; Horn Silver Mining Co. *v.* New York, 143 U. S., 305; Field *v.* Clark, 143 U. S., 649; O'Neil *v.* Vermont, 144 U. S., 323; Ficklen *v.* Shelby County Taxing District, 145 U. S., 1; Lehigh Valley Railroad *v.* Pennsylvania, 145 U. S., 192; Harmon *v.* Chicago, 147 U. S., 396; Monongahela Navigation Co. *v.* United States, 148 U. S., 312; Brennan *v.* Titusville, 153 U. S., 289; Braes *v.* Stoeser, 153 U. S., 391; Ashley *v.* Ryan, 153 U. S., 436; Luxton *v.*

North River Bridge Co., 153 U. S., 525; Postal Telegraph Co. *v.* Charleston, 153 U. S., 692; Covington & Cincinnati Bridge Co. *v.* Kentucky, 154 U. S., 204; Interstate Commerce Commission *v.* Brimson, 154 U. S., 447; Plumley *v.* Massachusetts, 155 U. S., 461; Texas & Pacific Railway *v.* Interstate Transportation Co., 155 U. S., 585; Hooker *v.* California, 155 U. S., 648; Postal Telegraph Cable Co. *v.* Adams, 155 U. S., 688; United States *v.* E. C. Knight Co., 156 U. S., 1; Emert *v.* Missouri, 156 U. S., 296; Pittsburg & Southern Coal Co. *v.* Bates, 156 U. S., 577; Pittsburg & Southern Coal Co. *v.* Louisiana, 156 U. S., 590; Gulf, Colorado & Santa Fé Railway Co. *v.* Hefley, 158 U. S., 98; New York, Lake Erie & Western R. R. Co. *v.* Pennsylvania, 158 U. S., 431; In re Debs, Petitioner, 158 U. S., 564; Geer *v.* Connecticut, 161 U. S., 519; Western Union Telegraph Co. *v.* James, 162 U. S., 650; Western Union Telegraph Co. *v.* Taggart, 163 U. S. 1; Illinois Central Railroad Co. *v.* Illinois, 163 U. S., 142; Hennington *v.* Georgia, 163 U. S., 299; Osborne *v.* Florida, 164 U. S., 650; Scott *v.* Donald, 165 U. S., 58; Adams Express Co. *v.* Ohio State Auditor, 165 U. S., 194; Lake Shore & Michigan Southern Railway Co. *v.* Ohio, 165 U. S., 365; N. Y., N. H. & Hartford R. R. Co. *v.* New York, 165 U. S., 628; Gladson *v.* Minnesota, 166 U. S., 427; Henderson Bridge Co. *v.* Kentucky, 166 U. S., 150; St. Anthony Falls Water Power Co. *v.* St. Paul Water Commissioners, 168 U. S., 349; Chicago, Milwaukee & St. Paul Railway Co. *v.* Solan, 169 U. S., 133; Missouri, Kansas & Texas Railway Co. *v.* Haber, 169 U. S., 613; Richmond & Alleghany R. R. Co. *v.* R. A. Patterson Tobacco Company, 169 U. S., 311; Rhodes *v.* Iowa, 170 U. S., 412; Vance *v.* W. A. Vandercook, No. 1, 170 U. S., 438: Schollenberger *v.* Pennsylvania, 171 U. S., 1; Collins *v.* New Hampshire, 171 U. S., 30; Patapsco Guano Co. *v.* North Carolina, 171 U. S., 345; New York *v.* Roberts, 171 U. S., 658; Hopkins *v.* United States, 171 U. S., 578: Anderson *v.* United States, 171 U. S., 604; Green Bay & Mississippi Canal Co. *v.* Patten Paper Co., 172 U. S., 58; Lake Shore & Michigan Southern Railway Co. *v.* Ohio, 173 U. S., 285; Henderson Bridge Co. *v.* Henderson City, 173 U. S., 592; Missouri, Kansas & Texas Railway Co. *v.* McCann, 174 U. S., 580; Addystone Pipe and Steel Co. *v.* United States, 175 U. S. 211; Louisiana *v.* Texas, 176 U. S., 1; United States *v.* Bellingham Bay Boom Co., 176 U. S., 211; Lindsay & Phelps Co. *v.* Mullen, 176 U. S., 126; Waters-Pierce Oil Co. *v.* Texas, 177 U. S., 28; New York Life Insurance Co. *v.* Cravens, 178 U. S., 389; Scranton *v.* Wheeler, 179 U. S., 141; Williams *v.* Fears, 179 U. S., 270; Wisconsin, Minnesota & Pacific Railroad Co. *v.* Jacobson, 179 U. S., 287; Chesapeake & Ohio Railway Co. *v.* Kentucky, 179 U. S., 388; Reymann Brewing Co. *v.* Brister 179 U. S., 445; W. W. Cargill Co. *v.* Minnesota, 180 U. S., 452; Rasmussen *v.* Idaho, 181 U. S., 198; Smith *v.* St. Louis & Southwestern Railroad Co., 181 U. S. 248; Capital City Dairy Co. *v.* Ohio, 183 U. S., 238; Louisville & Nashville Railroad Co. *v.* Kentucky, 183 U. S., 503; Nutting *v.* Massachusetts, 183 U. S., 553; McChord *v.* Louisville & Nashville Railroad Co., 183 U. S., 483; Louisville & Nashville Railroad Co. *v.* Eubank, 184 U. S., 27; Stockard *v.* Morgan, 185 U. S., 27; Minneapolis & St. Louis R. R. Co. *v.* Minnesota, 186 U. S., 257; Reid *v.* Colorado, 187 U. S., 137; Western Union Tel. Co. *v.* New Hope, 187 U. S., 419; Diamond Glue Co. *v.* United States Glue Co., 187 U. S., 611; Louisville, etc., Ferry Co. *v.* Kentucky, 188 U. S., 385; United States *v.* Lynah, 188 U. S., 445; Cummings *v.* Chicago, 188 U. S., 410; The Roanoke, 189 U. S., 185; Montgomery *v.* Portland, 190 U. S., 89; Patterson *v.* Bark Eudora, 190 U. S., 169; Allen *v.* Pullman Co., 191 U. S., 171; Pennsylvania R. R. Co. *v.* Knight, 192 U. S., 21; Postal Telegraph-Cable Co. *v.* Taylor, 192 U. S., 64; Crossman *v.* Lurman, 192 U. S., 189; St. Clair County *v.* Interstate Transfer Co., 192 U. S., 454; Buttfield *v.* Stranahan, 192 U. S., 470; American Steel & Wire Co. *v.* Speed, 192 U. S., 500; Northern

Securities Co. *v.* United States, 193 U. S., 197; Montague & Co. *v.* Lowry, 193 U. S., 38; Field *v.* Barber Asphalt Co., 194 U. S., 618; Minnesota *v.* Northern Securities Co., 194 U. S., 48; Olsen *v.* Smith, 195 U. S., 332; Western Union Telegraph Co. *v.* Pennsylvania R. R., 195 U. S., 540; Central of Georgia Railway Co. *v.* Murphey, 196 U. S., 194; American Express Co. *v.* Iowa, 196 U. S., 133; Cook *v.* Marshall County, 196 U. S., 261; Matter of Heff (Indian), 197 U. S., 488; Foppiano *v.* Speed, 199 U. S., 501.

[4] To establish an uniform Rule of Naturalization,[1] and uniform Laws on the subject of Bankruptcies throughout the United States;[2]

[2] Sturges *v.* Crowninshield, 4 Wh., 122; [2] McMillan *v.* McNeil, 4 Wh., 209; [2] Farmers and Mechanics' Bank, Pennsylvania, *v.* Smith, 6 Wh., 131; [2] Ogden *v.* Saunders, 12 Wh., 213; [2] Boyle *v.* Zacharie and Turner, 6 Pet., 348; [1] Gassies *v.* Ballon, 6 Pet., 761; [2] Beers et al. *v.* Haughton, 9 Pet., 329; [2] Suydam et al. *v.* Broadnax, 14 Pet., 67; [2] Cook *v.* Moffat et al., 5 How., 295; [1] Dred Scott *v.* Sanford, 19 How., 393; [1] Nishimura Ekiu *v.* The United States, 142 U. S., 651; [2] Hanover National Bank *v.* Moyses, 186 U. S., 181.

[5] To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Briscoe *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; Fox *v.* The State of Ohio, 5 How., 410; United States *v.* Marigold, 9 How., 560.

[6] To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Fox *v.* The State of Ohio, 5 How., 410; United States *v.* Marigold, 9 How., 560.

[7] To establish Post Offices and post Roads;

State of Pennsylvania *v.* The Wheeling and Belmont Bridge Company, 18 How., 421; Pensacola Telegraph Co. *v.* Western Union Telegraph Co., 96 U. S., 1; Ex Parte Jackson, 96 U. S., 727; In re Rapier, 143 U. S., 110; Horner *v.* United States, 143 U. S., 207; In re Debs, Petitioner, 158 U. S., 564; Illinois Central Railroad Co. *v.* Illinois, 163 U. S., 142; Gladson *v.* Minnesota, 166 U. S., 427; Public Clearing House *v.* Coyne, 194 U. S., 497; Western Union Telegraph Co. *v.* Pennsylvania R. R. Co., 185 U. S., 540.

[8] To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Grant et al. *v.* Raymond, 6 Pet., 218; Wheaton et als. *v.* Peters et als., 8 Pet., 591; Trade-mark Cases, 100 U. S., 82; Burrow Giles Lithographic Co. *v.* Sarony, 111 U. S., 53; United States *v.* Duell, 172 U. S., 576.

[9] To constitute Tribunals inferior to the supreme Court;

[10] To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

United States v. Palmer, 3 Wh., 610; United States v. Wiltberger, 5 Wh., 76; United States v. Smith, 5 Wh., 153; United States v. Pirates, 5 Wh., 184; United States v. Arjona, 120 U. S., 479.

[11] To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Brown v. United States, 8 Cr., 110; American Insurance Company et al. v Canter (356 bales cotton), 1 Pet., 511; Mrs. Alexander's cotton, 2 Wall., 404; Miller v. United States, 11 Wall., 268; Tyler v. Defrees, 11 Wall., 331; Stewart v. Kahn, 11 Wall., 493; Hamilton v. Dillon, 21 Wall., 73; Lamar, ex., v. Browne et al., 92 U. S., 187; Mayfield v. Richards, 115 U. S., 137; The Chinese Exclusion Cases, 130 U. S., 581; Mormon Church v. United States, 136 U. S., 1; Nishimura Ekiu v. The United States, 142 U. S., 651.

[12] To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Crandall v. State of Nevada, 6 Wall, 35; Nishimura Ekiu v. The United States, 142 U. S., 651.

[13] To provide and maintain a Navy;

United States v. Bevans, 3 Wh., 336; Dynes v. Hoover, 20 How., 65.

[14] To make Rules for the Government and Regulation of the land and naval Forces;

[15] To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Houston v. Moore, 5 Wh., 1; Martin v. Mott, 12 Wh., 19; Luther v. Borden, 7 How., 1; Crandall v. State of Nevada, 6 Wall., 35; Texas v. White, 7 Wall., 700.

[16] To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Houston v. Moore, 5 Wh., 1; Martin v. Mott, 12 Wh., 19; Luther v. Borden, 7 How., 1; Presser v. Illinois, 116 U. S., 252.

[17] To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress,

become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, and Arsenals, dock-Yards, and other needful Buildings;—And

Hepburn et al. *v.* Ellzey, 2 Cr., 444; Loughborough *v.* Blake, 5 Wh., 317, Cohens *v.* Virginia, 6 Wh., 264; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Kendall, Postmaster-General, *v.* The United States, 12 Pet., 524; United States *v.* Dewitt, 9 Wall., 41; Dunphy *v.* Kleinsmith et al., 11 Wall., 610; Willard *v.* Presbury, 14 Wall., 676; Kohl et al. *v.* United States, 91 U. S., 367; Phillips *v.* Payne, 92 U. S., 130; United States *v.* Fox, 94 U. S., 315; Fort Leavenworth R. R. Co. *v.* Lowe, 114 U. S., 525; Gibbons *v.* District of Columbia, 116 U. S., 404; Van Brocklin *v.* State of Tennessee, 117 U. S., 151; Stoutenburgh *v.* Hennick, 129 U. S., 141; Geofroy *v.* Riggs, 133 U. S., 258; Benson *v.* United States, 146 U. S., 325; Shoemaker *v.* United States, 147 U. S., 282; Chappell *v.* United States, 160 U. S., 499; Ohio *v.* Thomas, 173 U. S., 276; Wight *v.* Davidson, 181 U. S., 371.

[18] To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

McCulloch *v.* The State of Maryland, 4 Wh., 316; Wayman *v.* Southard, 10 Wh., 1; Bank of United States *v.* Halstead, 10 Wh., 51; Hepburn *v.* Griswold, 8 Wall., 603; National Bank *v.* Commonwealth, 9 Wall., 353; Thomson *v.* Pacific Railroad, 9 Wall., 579; Parker *v.* Davis, 12 Wall., 457; Railroad Company *v.* Johnson, 15 Wall., 195; Railroad Company *v.* Peniston, 18 Wall., 5; United States *v.* Fox, 95 U. S., 670; United States *v.* Hall, 98 U. S., 343; Tennessee *v.* Davis, 100 U. S., 257; Ex parte Curtis, 106 U. S., 371; Legal Tender case, 110 U. S., 421; Stoutenburgh *v.* Hennick, 129 U. S., 141; The Chinese Exclusion Case, 130 U. S., 581; Crenshaw *v.* United States, 134 U. S., 99; Cherokee Nation *v.* Southern Kansas R. R., 135 U. S., 641; Nishimura Ekiu *v.* The United States, 142 U. S., 651; Field *v.* Clark, 143 U. S., 649; Logan *v.* United States, 144 U. S. 263; Fong Yue Ting *v.* United States, 149 U. S., 698; Lees *v.* United States, 150 U. S., 476; Interstate Commerce Commission *v.* Brimson, 154 U. S., 447; Clune *v.* United States, 159 U. S., 590; Motes *v.* United States, 178 U. S., 458; Buttfield *v.* Stranahan, 192 U. S., 470.

SECTION. 9. [1] The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Dred Scott *v.* Sanford, 19 How., 393.

[2] The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

United States *v.* Hamilton, 3 Dall., 17; Hepburn et al. *v.* Ellzey, 2 Cr., 445; Ex parte Bollman and Swartwout, 4 Cr., 75; Ex parte Kearney, 7 Wh., 38; Ex parte Tobias Watkins, 3 Pet., 192; Ex parte Milburn, 9 Pet., 704; Holmes *v.* Jennison et al., 14 Pet., 540; Ex parte Dorr, 3 How., 103; Luther *v.* Borden, 7 How., 1; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Ex parte Vallandigham, 1 Wall., 243; Ex parte Mulligan, 4 Wall., 2; Ex parte McCardle, 7 Wall., 506; Ex parte Yerger, 8 Wall., 85; Tarble's case, 13 Wall., 397; Ex parte Lange, 18 Wall., 163; Ex parte Parks, 93 U. S., 18; Ex parte Karstendick, 93 U. S., 396; Ex parte Virginia, 100 U. S., 339; In re Neagle, 135 U. S., 1; In re Frederick, 149 U. S., 70; United States *v.* Sing Tuck, 194 U. S., 161; United States *v.* Ju Toy, 198 U. S., 253; Carfer *v.* Caldwell, 200 U. S., 293.

[3] No Bill of Attainder or ex post facto Law shall be passed.

Fletcher *v.* Peck, 6 Cr., 87; Ogden *v.* Saunders, 12 Wh., 213; Watson et al. *v.* Mercer, 8 Pet., 88; Carpenter et al. *v.* Commonwealth of Pennsylvania, 17 How., 456; Locke *v.* New Orleans, 4 Wall., 172; Cummings *v.* the State of Missouri, 4 Wall., 277; Ex parte Garland, 4 Wall., 333; Drehman *v.* Stifle, 8 Wall., 595; Klinger *v.* State of Missouri, 13 Wall., 257; Pierce *v.* Carskadon, 16 Wall., 234; Hopt *v.* Utah, 110 U. S., 547; Cook *v.* United States, 138 U. S., 157; Neely *v.* Henkel (No. 1), 180 U. S., 109; Southwestern Coal Co. *v.* McBride, 185 U. S., 499.

[4] No Capitation, or other direct, tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

License Tax Cases, 5 Wall., 462; Springer *v.* United States, 102 U. S., 586; Nichol *v.* Ames, 173 U. S., 599; South Carolina *v.* United States, 199 U. S., 437.

[5] No Tax or Duty shall be laid on Articles exported from any State.

Cooley *v.* Board of Wardens of Port of Philadelphia, 12 How., 299; Pace *v.* Burgess, collector, 92 U. S., 372; Turpin *v.* Burgess, 117 U. S., 504; Pittsburg & Southern Coal Co. *v.* Bates, 156 U. S., 577; Nichols *v.* Ames, 173 U. S., 509; Williams *v.* Fears, 179 U. S., 270; De Lima *v.* Bidwell, 182 U. S., 1; Dooley *v.* United States, 183 U. S., 151; Fourteen Diamond Rings *v.* United States, 183 U. S., 176; Cornell *v.* Coyne, 192 U. S., 418; South Carolina *v.* United States, 199 U. S., 437.

[6] No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; State of Pennsylvania *v.* Wheeling and Belmont Bridge Company et al., 18 How., 421; Munn *v.* Illinois, 94 U. S., 113; Packet Co. *v.* St. Louis, 100 U. S., 423; Packet Co. *v.* Catlettsburg, 105 U. S., 559; Spraigue *v.* Thompson, 118 U. S., 90; Morgan *v.* Louisiana, 118 U. S., 455; Johnson *v.* Chicago & Pacific Elevator Co., 119 U. S., 388; South Carolina *v.* United States, 199 U. S., 437.

[7] No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

[8] No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

SECTION. 10. [1] No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; [1] make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law,[2] or Law impairing the Obligation of Contracts,[3] or grant any Title of Nobility.

[2] Calder and wife *v.* Bull and wife, 3 Dall., 386; [3] Fletcher *v.* Peck, 6 Cr., 87; [3] State of New Jersey *v.* Wilson, 7 Cr., 164; [3] Sturgis *v.* Crowningshield, 4 Wh., 122; [3] McMillan *v.* McNeil, 4 Wh., 209; [3] Dartmouth College *v.* Woodward, 4 Wh., 518; [3] Owings *v.* Speed, 5 Wh., 420; [3] Farmers and Mechanics' Bank *v.* Smith, 6 Wh., 131; [3] Green et al. *v.* Biddle, 8 Wh., 1; [3] Ogden *v.* Saunders, 12 Wh., 213; [3] Mason *v.* Haile, 12 Wh., 370; [3] Satterlee *v.* Matthewson, 2 Pet., 380; [3] Hart *v.* Lamphire, 3 Pet., 280; [1] Craig et al. *v.* State of Missouri, 4 Pet., 410; [3] Providence Bank *v.* Billings and Pitman, 4 Pet., 514; [1] Byrne *v.* State of Missouri, 8 Pet., 40; [2] Watson *v.* Mercer, 8 Pet., 88; [3] Mumma *v.* Potomac Company, 8 Pet., 281; [3] Beers *v.* Haughton, 9 Pet., 329; [1] Briscoe et al. *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; [3] The Proprietors of Charles River Bridge *v.* The Proprietors of Warren Bridge, 11 Pet., 420; [3] Armstrong *v.* The Treasurer of Athens Company, 16 Pet., 281; [3] Bronson *v.* Kinzie et al., 1 How., 311; [3] McCracken *v.* Hayward, 2 How., 608; [3] Gordon *v.* Appeal Tax Court, 3 How., 133; [3] State of Maryland *v.* Baltimore and Ohio R. R. Co., 3 How., 534; [3] Neil, Moore & Co. *v.* State of Ohio, 3 How., 720; [3] Cook *v.* Moffatt, 5 How., 295; [3] Planters' Bank *v.* Sharp et al., 6 How., 301; [3] West River Bridge Company *v.* Dix et al., 6 How., 507; [3] Crawford et al. *v.* Branch Bank of Mobile, 7 How., 279; [3] Woodruff *v.* Trapnall, 10 How., 190; [3] Paup et al. *v.* Drew, 10 How., 218; [2, 3] Baltimore and Susquehanna R. R. Co. *v.* Nesbitt et al., 10 How., 395; [3] Butler et al. *v.* Pennsylvania, 10 How., 402; [1] Darrington et al. *v.* the Bank of Alabama, 13 How., 12; [3] Richmond, &c., R. R. Co. *v.* The Louise R. R. Co., 13 How., 71; [3] Trustees for Vincennes University *v.* State of Indiana, 14 How., 268; [3] Curran *v.* State of Arkansas et al., 15 How., 304; [3] State Bank of Ohio *v.* Knoop, 16 How., 369; [2] Carpenter et al. *v.* Commonwealth of Pennsylvania, 17 How., 456; [3] Dodge *v.* Woolsey, 18 How., 331; [3] Beers *v.* State of Arkansas, 20 How., 527; [3] Aspinwall et al. *v.* Commissioners of County of Daviess, 22 How., 364; [3] Rector of Christ Church, Philadelphia, *v.* County of Philadelphia, 24 How., 300; [3] Howard *v.* Bugbee, 24 How., 461; [3] Jefferson Branch Bank *v.* Skelley, 1 Black, 436; [3] Franklin Branch Bank *v.* State of Ohio, 1 Black, 474; [3] Trustees of the Wabash and Erie Canal Company *v.* Beers

2 Black, 448; [3]Gilman *v.* City of Sheboygan, 2 Black, 510; [3]Bridge Proprietors *v.* Hoboken Company, 1 Wall., 116; [3]Hawthorne *v.* Calef, 2 Wall., 10; [3]The Binghamton Bridge, 3 Wall., 51; [3]The Turnpike Company *v.* The State, 3 Wall., 210; [2]Locke *v.* City of New Orleans, 4 Wall., 172; [3]Railroad Company *v.* Rock, 4 Wall., 177; [3]Cummings *v.* State of Missouri, 4 Wall., 277; [2]Ex parte Garland, 4 Wall., 333; [3]Von Hoffman *v.* City of Quincy, 4 Wall., 535; [3]Mulligan *v.* Corbin, 7 Wall., 487; [3]Furman *v.* Nichol, 8 Wall., 44; [3]Home of the Friendless *v.* Rouse, 8 Wall., 430; [3]The Washington University *v.* Rouse, 8 Wall., 439; [3]Butz *v.* City of Muscatine, 8 Wall., 575; [3]Drehman *v.* Stifle, 8 Wall., 595; [3]Hepburn *v.* Griswold, 8 Wall., 603; [2]Gut *v.* The State, 9 Wall., 35; [3]Railroad Company *v.* McClure, 10 Wall., 511; [3]Parker *v.* Davis, 12 Wall., 457; [3]Curtis *v.* Whiting, 13 Wall., 68; [3]Pennsylvania College Cases, 13 Wall., 190; [3]Wilmington R. R. *v.* Reid, sheriff, 13 Wall., 264; [3]Salt Company *v.* East Saginaw, 13 Wall., 373; [3]White *v.* Hart, 13 Wall., 646; [3]Osborn *v.* Nicholson et al., 13 Wall., 654; [3]Railroad Company *v.* Johnson, 15 Wall., 195; [3]Case of the State tax on foreign-held bonds, 15 Wall., 300; [3]Tomlinson *v.* Jessup, 15 Wall., 454; [3]Tomlinson *v.* Branch, 15 Wall., 460; [3]Miller *v.* The State, 15 Wall., 478; [3]Holyoke Company *v.* Lyman, 15 Wall., 500; [3]Gunn *v.* Barry, 15 Wall., 610; [3]Humphrey *v.* Pegues, 16 Wall., 244; [3]Walker *v.* Whitehead, 16 Wall., 314; [3]Sohn *v.* Waterson, 17 Wall., 596; [3]Barings *v.* Dabney, 19 Wall., 1; [3]Head *v.* The University, 19 Wall., 526; [3]Pacific R. R. Co., *v.* Maguire, 20 Wall., 36; [3]Garrison *v.* The City of New York, 21 Wall., 196; [3]Ochiltree *v.* The Railroad Company, 21 Wall., 249; [3]Wilmington, &c., Railroad *v.* King, ex., 91 U. S., 3; [3]County of Moultrie *v.* Rockingham Ten Cent Savings Bank, 92 U. S., 631; [3]Home Insurance Company *v.* City Council of Augusta, 93 U. S., 116; [3]West Wisconsin R. R. Co. *v.* Supervisors, 93 U. S., 595; [3]New Jersey *v.* Yard, 95 U. S., 104; [3]Railroad Company *v.* Hecht, 95 U. S., 168; [3]Terry *v.* Anderson, 95 U. S., 628; [3]Farrington *v.* Tennessee, 95 U. S., 679; [3]Blount *v.* Windley, 95 U. S., 173; Murray *v.* Charleston, 96 U. S., 432; Edwards *v.* Kearzey, 96 U. S., 595; [3]Tennessee *v.* Snead, 96 U. S., 69; [3]William *v.* Bruffy, 96 U. S., 176; [3]Railroad Co. *v.* Richmond, 96 U. S., 521; [3]Beer Company *v.* Massachusetts, 97 U. S., 25; [3]Fertilizing Co. *v.* Hyde Park, 97 U. S., 659; [3]Railroad Co. *v.* Gaines, 97 U. S., 697; [3]United States *v.* Memphis, 97 U. S., 284; Keith *v.* Clark, 97 U. S., 454; Railroad Co. *v.* Georgia, 98 U. S., 359; [3]University *v.* People, 99 U. S., 309; [3]Newton *v.* Commissioners, 100 U. S., 548; Railroad Co. *v.* Tennessee, 101 U. S., 337; Wright *v.* Nagle, 101 U. S., 791; Stone *v.* Mississippi, 101 U. S., 814; Railroad Co. *v.* Alabama, 101 U. S., 832; [3]Louisiana *v.* New Orleans, 102 U. S., 203; Hall *v.* Wisconsin, 103 U. S., 5; Penniman's case, 103 U. S., 714; Wolf *v.* New Orleans, 13 U. S., 358; [3]Koshkonong *v.* Burton, 104 U. S., 668; [3]Railroad Co. *v.* Hammersley, 104 U. S., 1; [3]County of Clay *v.* Society for Savings, 104 U. S., 579; Guaranty Co. *v.* Board of Liquidation, 105 U. S., 622; Greenwood *v.* Freight Co., 105 U. S., 13; [3]Asylum *v.* New Orleans, 105 U. S., 362; [3]Louisiana *v.* Pillsbury, 105 U. S., 278; [3]New Orleans *v.* Morris. 105 U. S., 600; [2]Kring *v.* Missouri, 107 U.S., 221; [3]Close *v.* Glenwood Cemetery, 107 U.S., 466; [3]Antoni *v.* Greenhow, 107 U. S., 769; [3]Vance *v.* Vance, 108 U. S., 514; [3]Memphis Gas Light Co., 109 U. S., 398; [3]Canada Southern Railway *v.* Gebhard, 109 U. S., 527; Louisiana *v.* New Orleans, 109 U. S., 285; Gilfillan *v.* Union Canal Co., 109 U. S., 401; [3]Spring Valley Water Works *v.* Schottler, 110 U. S., 347; [3]Butchers' Union Co. *v.* Crescent City Company, 111 U. S., 746; Nelson *v.* St. Martin's Parish, 111 U. S., 716; [3]Mary's *v.* Parsons (Virginia Tax), 114 U. S., 325; [1 and 3]Virginia Coupon Cases; Poindexter *v.* Greenhow, 114 U. S., 270; [3]Amy et al. *v.* Shelby County Taxing District et als., 114 U. S., 387; [1 and 3]Allen, Auditor, et al. *v.* Baltimore & Ohio R. R. Co., 114 U. S., 311; [3]Effinger *v.* Kenney, Trustee, 115 U. S., 566; [3]New

Orleans Gas Co. *v.* Louisiana Light Co., 115 U. S., 650; [3] Louisville Gas Co. *v.* Citizens Gas Co., 115 U. S., 683; New Orleans Water Works Co. *v.* Rivers, 115 U. S., 674; [3] Fisk *v.* Jefferson Police Jury, 116 U. S., 131; [3] Mobile *v.* Watson, 116 U. S., 289; [3] New Orleans *v.* Houston, 119 U. S., 265; [3] St. Tammany Water Works *v.* New Orleans Water Works, 120 U. S., 64; [3] Church *v.* Kelsey, 121 U. S., 282; [3] Lehigh Water Co. *v.* Easton, 121 U. S., 388; [3] Seibert *v.* Lewis, 122 U. S., 284; [3] New Orleans Water Works *v.* Louisiana Sugar Refining Co., 125 U. S., 18; [3] Maynard *v.* Hill, 125 U. S., 190; [2] Jaehne *v.* New York, 128 U. S., 189; [3] Denny *v.* Bennett, 128 U. S., 489; [3] Williamson *v.* New Jersey, 130 U. S., 189; [3] Freeland *v.* Williams, 131 U. S., 405; [3] Campbell *v.* Wade, 132 U. S., 34; [3] Pennsylvania Railroad Co. *v.* Miller, 132 U. S., 75; [3] Pennie *v.* Reis, 132 U. S., 464; [3] Hans *v.* Louisiana, 134 U. S., 1; [3] Crenshaw *v.* United States, 134 U. S., 99; [3] Chicago, Milwaukee & St. Paul Railway Co. *v.* Minnesota, 134 U. S., 418; [3] Minneapolis Eastern R. R. Co. *v.* Minnesota, 134 U. S., 467; [3] Hill *v.* Merchants' Ins. Co., 134 U. S., 515; [2] Medley, Petitioner, 134 U. S., 160; [3] Virginia Coupon Cases, 135 U. S., 662; [3] United States *v.* North Carolina, 136 U. S., 211; [3] Wheeler *v.* Jackson, 137 U. S., 245; [2] Holden *v.* Minnesota, 137 U. S., 483; [3] Sioux City Street Railway Co. *v.* Sioux City, 138 U. S., 98; [3] Wheeling and Belmont Bridge Co. *v.* Wheeling Bridge Co., 138 U. S., 287; [3] Pennoyer *v.* McConnaughy, 140 U. S., 1; [3] Scotland County Court *v.* Hill, 140 U. S., 41; [3] Essex Public Road Board *v.* Spinkle, 140 U. S., 334; [3] Stein *v.* Bienville Water Supply Co., 141 U. S., 67; [3] New Orleans *v.* New Orleans Water Works Co., 142 U. S., 79; [3] New Orleans City & Lake Railroad Co. *v.* New Orleans, 143 U. S., 192; [3] Louisville Water Co. *v.* Clark, 143 U. S., 1; [3] New York *v.* Squire, 145 U. S., 175; [3] Baker *v.* Kilgore, 145 U. S., 487; [3] Morley *v.* Lake Shore & Michigan Southern R. R. Co., 146 U. S., 162; [3] Hamilton Gas Light & Coke Co. *v.* Hamilton City, 146 U. S., 258; [3] Wilmington & Weldon Railroad Co. *v.* Alsbrook, 146 U. S., 279; [3] Illinois Central Railroad *v.* Illinois, 146 U. S., 387; [3] Bier *v.* McGehee, 148 U. S., 137; [3] Schurz *v.* Cook, 148 U. S., 397; [3] New York & New England Railroad Co. *v.* Bristol, 151 U. S., 556; [3] Bryan *v.* Board of Education, etc., 151 U. S., 639; [3] Duncan *v.* Missouri, 152 U. S., 377; [3] New Orleans *v.* Benjamin, 153 U. S., 411; [3] Eagle Insurance Co. *v.* Ohio, 153 U. S., 446; [3] New York, Lake Erie & Western R. R. Co. *v.* Pennsylvania, 153 U. S., 628; [3] Mobile & Ohio R. R. Co. *v.* Tennessee, 153 U. S., 486; [3] United States ex rel. Siegel *v.* Thoman, 156 U. S., 353; [3] St. Louis & San Francisco Railway Co. *v.* Gill, 156 U. S., 649; [3] New Orleans City & Lake R. R. Co. *v.* Louisiana ex rel. New Orleans, 157 U. S., 219; [3] Bank of Commerce *v.* Tennessee, 161 U. S., 134; [3] Baltzer *v.* North Carolina, 161 U. S., 240; [3] Barsall *v.* Great Northern Railway Co., 161 U. S., 646; [3] Louisville & Nashville R. R. Co. *v.* Kentucky, 161 U. S., 677; [3] Woodruff *v.* Mississippi, 162 U. S., 291; [3] Gibson *v.* Mississippi, 162 U. S., 565; [3] Barnitz *v.* Beverly, 163 U. S., 118; [3] Hanford *v.* Davies, 163 U. S., 273; [3] Covington & Lexington Turnpike Co. *v.* Sandford, 164 U. S., 578; [3] St. Louis & San Francisco Railway Co. *v.* Mathews, 165 U. S., 1; [3] Grand Lodge F. & A. Masons *v.* New Orleans, 166 U. S., 143; [3] Baltimore *v.* Baltimore Trust and Guarantee Co., 166 U. S., 673; [3] City Railway Co. *v.* Citizens' Street Railroad Co., 166 U. S., 557; [3] Wabash R. R. Co. *v.* Defiance, 167 U. S., 88; [3] Shapleigh *v.* San Angelo, 167 U. S., 646; [3] St. Anthony Falls Water Power Co. *v.* St. Paul Water Commissioners, 168 U. S., 349; [3] Douglas *v.* Kentucky, 168 U. S., 488; [2] Hawker *v.* New York, 170 U. S., 189; [3] Galveston, Harrisburg, etc., Railway Co. *v.* Texas, 170 U. S., 226; [3] Houston & Texas Central Railway Co. *v.* Texas, 170 U. S., 243; [3] Williams *v.* Eggleston, 170 U. S., 304; [3] Chicago, Burlington & Quincy R. R. *v.* Nebraska, 170 U. S., 57; [3] Laclede Gas Light Co. *v.* Murphy, 170 U. S., 78; [3] Louisville Water Co. *v.* Kentucky, 170 U. S., 127; [2] Thompson *v.* Missouri, 171 U. S., 380; [3] Walla Walla City *v.* Walla Walla Water Co., 172 U. S.,

1; [3]McCullough *v.* Virginia, 172 U. S., 102; [3]Connecticut Mutual Life Ins. Co. *v.* Spratley, 172 U. S., 602; [3]Citizens' Savings Bank *v.* Owensboro, 173 U. S., 636; [3]Lake Shore & Michigan Southern Railway Co. *v.* Smith, 173 U. S., 684; [3]Covington *v.* Kentucky, 173 U. S., 231; [3]Henderson Bridge Co. *v.* Henderson City, 173 U. S., 592; [3]Walsh *v.* Columbus, Hocking Valley & Athens R. R. Co., 176 U. S., 469; [3]Adirondack Railway Co. *v.* New York State, 176 U. S., 335; [3]New York Life Insurance Co. *v.* Cravens, 178 U. S., 389; [3]Looker *v.* Maynard, 179 U. S., 46; [3]Stearns *v.* Minnesota, 179 U. S., 223; [2]McDonald *v.* Massachusetts, 180 U. S., 311; [3]Illinois Central Railroad Co. *v.* Adams, 180 U. S., 28; [3]St. Paul Gas Light Co. *v.* St. Paul, 181 U. S., 142; [3]Red River Valley Bank *v.* Craig, 181 U. S., 548; [2]Mallett *v.* North Carolina, 181 U. S., 589; [3]Bedford *v.* Eastern Building and Loan Association, 181 U. S., 227; [3]Knoxville Iron Co. *v.* Harbison, 183 U. S., 13; [3]Orr *v.* Gilman, 183 U. S., 278; [3]Wilson *v.* Iseminger, 185 U. S., 55; [3]Vicksburg Waterworks Co. *v.* Vicksburg, 185 U. S., 65; [3]Hanover National Bank *v.* Moyses, 186 U. S., 181; [3]Northern Central Railway Co. *v.* Maryland, 187 U. S., 258; [3]Oshkosh Waterworks Co. *v.* Oshkosh, 187 U. S., 437; [2] [3]Diamond Glue Co. *v.* U. S. Glue Co., 187 U. S., 611; [3]Weber *v.* Rogan, 188 U. S., 10; [3]Blackstone *v.* Miller, 188 U. S., 189; [3]Reetz *v.* Michigan, 188 U. S., 505; [3]Waggoner *v.* Flack, 188 U. S., 595; [3]Owensboro *v.* Owensboro Water-Works Co., 191 U. S., 358; [3]Wisconsin & Michigan Ry. Co. *v.* Powers, 191 U. S., 379; [3]Deposit Bank *v.* Frankfort, 191 U. S., 499; [3]Citizens' Bank *v.* Parker, 192 U. S., 73; [3]Stanislaus County *v.* San Joaquin C. & I. Co., 192 U. S., 201; [3]Grand Rapids and Indiana Railway Company *v.* Osborn, 193 U. S., 17; [3]The Underground R. R. *v.* City of New York, 193 U. S., 416; [3]National Mutual Building and Loan Association *v.* Brahan, 193 U. S., 635; [3]Wright *v.* Minnesota Mutual Life Insurance Co., 193 U. S., 657: [3]Pacific Electric Ry. Co. *v.* Los Angeles, 194 U. S., 112; [3]People's Gas Light & Coke Co. *v.* Chicago, 194 U. S., 1; [3]Hooker *v.* Burr, 194 U. S., 415; [3]Cleveland *v.* Cleveland City Ry. Co., 194 U. S., 517; [3]Bradley *v.* Lightcap, 195 U. S., 1; [3]Helena Water Works Co. *v.* Helena, 195 U. S., 383; [3]Worcester *v.* Street Railway Co., 196 U. S., 539; [2]Rooney *v.* North Dakota, 196 U. S., 319; [3]Dawson *v.* Columbia Trust Co., 197 U. S., 178; [3]Kehrer *v.* Stewart, 197 U. S., 60; [3]Muhlker *v.* New York & Harlem R. R. Co., 197 U. S., 544; [3]Savannah, Thunderbolt &c. Ry. *v.* Savannah, 198 U. S., 392; [3]Knights of Pythias *v.* Meyer, 198 U. S., 508; [3]Tampa Water Works *v.* Tampa, 199 U. S., 241; [3]Manigault *v.* Springs, 199 U. S., 473; [3]Metropolitan Street Ry. Co. *v.* New York, 199 U. S., 1; [3]Kies *v.* Lowrey, 199 U. S., 233; [3]Graham *v.* Folsom, 200 U. S., 248; [3]San Antonio Traction Co. *v.* Altgelt, 200 U. S., 304; [3]Water Company *v.* Knoxville, 200 U. S., 22; [3]Gunter *v.* Atlantic Coast Line, 200 U. S., 273.

[2]No State shall, without the Consent of the Congress, lay any Impost or Duties on Imports or Exports, except what may be absolutely necessary for executing it's inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

McCulloch *v.* State of Maryland, 4 Wh., 316; Gibbons *v.* Ogden, 9 Wh., 1; Brown *v.* The State of Maryland, 12 Wh., 419; Mager *v.* Grima et al., 8 How., 490; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; Almy *v.* State of California, 24 How., 169; License Tax Cases, 5 Wall., 462; Cran-

dall *v.* State of Nevada, 6 Wall., 35; Waring *v.* The Mayor, 8 Wall., 110; Woodruff *v.* Perham, 8 Wall., 123; Hinson *v.* Lott, 8 Wall., 148; State Tonnage Tax Cases, 12 Wall., 204; State Tax on railway gross receipts, 15 Wall., 284; Inman Steamship Company *v.* Tinker, 94 U. S., 238; Cook *v.* Pennsylvania, 97 U. S., 566; Packet Co. *v.* Keokuk, 95 U. S., 80; People *v.* Campagnie Général Transatlantique, 107 U. S., 59; Turner *v.* Maryland, 107 U. S., 38; Brown et al. *v.* Houston, Collector, et al., 114 U. S., 622; Coe *v.* Errol, 116 U. S., 517; Turpin *v.* Burgess, 117 U. S., 504; Pittsburg & Southern Coal Co. *v.* Bates, 156 U. S., 577; Pittsburg & Southern Coal Co. *v.* Louisiana, 156 U. S., 590; Scott *v.* Donald, 165 U. S., 58; Patapsco Guano Co. *v.* North Carolina, 171 U. S., 345; May & Co. *v.* New Orleans, 178 U. S., 496; Dooley *v.* United States, 183 U. S., 151; Cornell *v.* Coyne, 192 U. S., 418; American Steel & Wire Co. *v.* Speed, 192 U. S., 500; Delaware, L., &c., R. R. Co. *v.* Pennsylvania, 198 U. S., 341.

[3] No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into an Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay.

Green *v.* Biddle, 8 Wh., 1; Poole et al. *v.* The Lessee of Fleeger et al., 11 Pet., 185; Cooley *v.* Board of Wardens of Port of Philadelphia et al., 12 How., 299; Peete *v.* Morgan, 19 Wall., 581; Cannon *v.* New Orleans, 20 Wall., 577; Inman Steamship Company *v.* Tinker, 94 U. S., 238; Transportation Co. *v.* Wheeling, 99 U. S., 273; Packett Co. *v.* St. Louis, 100 U. S., 423; Packet Co. *v.* Keokuk, 95 U. S., 80; Vicksburg *v.* Tobin, 100 U. S., 430; Packet Co. *v.* Catlettsburg, 105 U. S., 559; Wiggins Ferry Co. *v.* East St. Louis, 107 U. S., 365; Transportation Company *v.* Parkersburg, 107 U. S., 691; Presser *v.* Illinois, 116 U. S., 252; Morgan *v.* Louisiana, 118 U. S., 455; Huse *v.* Glover, 119 U. S., 543; Ouachita Packet Co. *v.* Aiken, 121 U. S., 444; Indiana *v.* Kentucky, 136 U. S., 479; Virginia *v.* Tennessee, 148 U. S., 503; Wharton *v.* Wise, 153 U. S., 155; St. Louis & San Francisco Railway Co. *v.* James, 161 U. S., 545.

ARTICLE. II.

SECTION. 1. [1] The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Field *v.* Clark, 143 U. S., 649.

[2] Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Repre-

sentative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

Chisholm, ex., v. Georgia, 2 Dall., 419; Leitensdorfer et al. v. Webb, 20 How., 176; Ex parte Siebold, 100 U. S., 271; In re Green, 134 U. S., 377; McPherson v. Blacker, 146 U. S., 1.

["The electors shall meet in their respective States, and vote by ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by ballot the Vice-President."]

This clause has been superseded by the twelfth amendment, p. 39.

[3] The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

In re Green, 134 U. S., 377.

[4] No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States.

English v. The Trustees of the Sailors' Snug Harbor, 3 Pet., 99.

[5] In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both

of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

[6] The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

[7] Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

In re Neagle, 135 U. S., 1.

SECTION. 2. [1] The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

United States *v.* Wilson, 7 Pet., 150; Ex parte William Wells, 18 How., 307; Ex parte Garland, 4 Wall., 333; Armstrong's Foundry, 6 Wall., 766; The Grape Shot, 9 Wall., 129; United States *v.* Padelford, 9 Wall., 542; United States *v.* Klein, 13 Wall., 128; Armstrong *v.* The United States, 13 Wall., 152; Pargoud *v.* The United States, 13 Wall., 156; Hamilton *v.* Dillin, 21 Wall., 73; Mechanics and Traders' Bank *v.* Union Bank, 22 Wall., 276; Lamar, ex., *v.* Browne et al., 92 U. S., 187, Wallach et al.; *v.* Van Riswick, 92 U. S., 202; Eustis *v* Bolles, 150 U. S., 361.

[2] He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint

Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law: but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

Ware *v.* Hylton et al., 3 Dall., 199; Marbury *v.* Madison, 1 Cr., 137; United States *v.* Kirkpatrick, 9 Wh., 720; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Foster and Elam *v.* Neilson, 2 Pet., 253; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; Patterson *v.* Gwinn et al., 5 Pet., 233; Worcester *v.* State of Georgia, 6 Pet., 515; City of New Orleans *v.* De Armas et al., 9 Pet., 224; Holden *v.* Joy, 17 Wall, 211; United States *v.* Germaine, 99 U. S., 508; United States *v.* Corson, 114 U. S., 619; United States *v.* Perkins, 116 U. S., 483; United States *v.* Rauscher, 119 U. S., 407; Mormon Church *v.* United States, 136 U. S., 1; Field *v.* Clark, 143 U. S., 649; Shoemaker *v.* United States, 147 U. S., 282; Parsons *v.* United States, 167 U. S., 324; Rice *v.* Ames, 180 U. S., 371; Fourteen Diamond Rings *v.* United States, 183 U. S., 176; Dorr *v.* United States, 195 U. S., 138.

[3] The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

The United States *v.* Kirkpatrick et all., 9 Wh., 720.

SECTION. 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the Officers of the United States.

Marbury *v.* Madison, 1 Cr., 137; Kendall, Postmaster-General, *v.* The United States, 12 Pet., 524; Luther *v.* Borden, 7 How., 1; The State of Mississippi *v.* Johnson, President, 4 Wall., 475; Stewart *v.* Kahn, 11 Wall., 493; In re Neagle, 135, U. S., 1.

SECTION. 4. The President, Vice President, and all civil Officers of the United States, shall be removed from Office on

Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

Langford *v* United States, 101 U. S., 341.

ARTICLE III.

SECTION. 1. The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Chisholm, ex., *v.* Georgia, 2 Dall., 419; Stuart *v.* Laird, 1 Cr., 299; United States *v.* Peters, 5 Cr., 115; Cohens *v.* Virginia, 6 Cr., 264; Martin *v.* Hunter's Lessee, 1 Wh., 304; Osborn *v.* United States Bank, 9 Wh., 738; Benner et al. *v.* Porter, 9 How., 235; The United States *v.* Ritchie, 17 How., 525; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Ex parte Vallandigham, 1 Wall., 243; Pennoyer *v.* Neff, 95 U. S., 714; United States *v.* Union Pacific Railroad Co., 98 U. S., 569; Mitchell *v.* Clark, 110 U. S., 633; Ames *v.* Kansas, 111 U. S., 449; In re Loney, 134 U. S., 373; In re Green, 134 U. S., 377; McAllister *v.* United States, 141 U. S., 174; Robertson *v.* Baldwin, 165 U. S., 275; Hanover National Bank *v.* Moyses, 186 U. S., 181; Turner *v.* Williams, 194 U. S., 279.

SECTION. 2. [1]The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority[1];—to all cases affecting Ambassadors, other public Ministers and Consuls[2];—to all Cases of admiralty and maritime Jurisdiction[3];—to Controversies to which the United States shall be a Party[4];—to Controversies between two or more States[5];—between a State and Citizens of another State[6];—between Citizens of different States[7];—between Citizens of the same State claiming Lands under Grants of different States[8], and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects[9].

Hayburn's case (note), 2 Dall., 410; Chisholm, ex., *v.* Georgia, 2 Dall., 419; Glass et al. *v.* Sloop Betsey, 3 Dall., 6; United States *v.* La Vengeance, 3 Dall., 297; Hollingsworth et al. *v.* Virginia, 3 Dall., 378; Mossman, ex., *v.* Higginson, 4 Dall., 12; Marbury *v.* Madison, 1 Cr., 137; Hepburn et al. *v.* Ellezley, 2 Cr., 444; United States *v.* Moore, 3 Cr., 159; Strawbridge et al. *v.* Curtiss et al., 3 Cr., 267; Ex parte

Bollman and Swartwout, 4 Cr., 75; Rose *v.* Himely, 4 Cr., 241; Chappedelaine et al. *v.* Dechenaux, 4 Cr., 305; Hope Insurance Company *v.* Boardman et al., 5 Cr., 57; Bank of United States *v.* Deveaux et al., 5 Cr., 61; Hodgson et al. *v.* Bowerbank et als., 5 Cr., 303; Owings *v.* Norwood's Lessee, 5 Cr., 344; Durousseau *v.* The United States, 6 Cr., 307; United States *v.* Hudson and Goodwin, 7 Cr., 32; Martin *v.* Hunter, 1 Wh., 304; Colson et al. *v.* Lewis, 2 Wh., 377; United States *v.* Bevans, 3 Wh., 336; Cohens *v.* Virginia, 6 Wh., 264; Ex parte Kearney, 7 Wh., 38; Matthews *v.* Zane, 7 Wh., 164; Osborn *v.* United States Bank, 9 Wh., 738; United States *v.* Ortega, 11 Wh., 467; American Insurance Company *v.* Canter (356 bales cotton), 1 Pet., 511; Jackson *v.* Twentyman, 2 Pet., 136; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; State of New Jersey *v.* State of New York, 5 Pet., 283; Davis *v.* Packard et al., 6 Pet., 41; United States *v.* Arredondo et al., 6 Pet., 691; Davis *v.* Packard et al., 7 Pet., 276; Breedlove et al. *v.* Nicolet et al., 7 Pet., 413; Brown *v.* Keene, 8 Pet., 112; Davis *v.* Packard et al., 8 Pet., 312; City of New Orleans *v.* De Armas et al., 9 Pet., 224; The State of Rhode Island *v.* The Commonwealth of Massachusetts, 12 Pet., 657; The Bank of Augusta *v.* Earle, 13 Pet., 519; The Commercial and Railroad Bank of Vicksburg *v.* Slocomb et al., 14 Pet., 60; Suydam et al. *v.* Broadnax, 14 Pet., 67; Prigg *v.* The Commonwealth of Pennsylvania, 16 Pet., 539; Louisville, Cincinnati and Charleston Railway Company *v.* Letson, 2 How., 497; Cary et als. *v.* Curtis, 3 How., 236; Warring *v.* Clark, 5 How., 441; Luther *v.* Borden, 7 How., 1; Sheldon et al. *v.* Sill, 8 How., 441; The Propeller Genessee Chief *v.* Fitzhugh et al., 12 How., 443; Fretz et al. *v.* Ball et al., 12 How., 466; Neves et al. *v.* Scott et al., 13 How., 268; State of Pennsylvania *v.* The Wheeling, &c., Bridge Company et al., 13 How., 518; Marshall *v.* The Baltimore and Ohio R. R. Co., 16 How., 314; The United States *v.* Guthrie, 17 How., 284; Smith *v.* State of Maryland, 18 How., 71; Jones et al. *v.* League, 18 How., 76; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272, Hyde et al. *v.* Stone, 20 How., 170; Irvine *v.* Marshall et al., 20 How., 558; Fenn *v.* Holmes, 21 How., 481; Moorewood et al. *v.* Erequist, 23 How., 491; Commonwealth of Kentucky *v.* Dennison, Governor, 24 How., 66; Ohio and Mississippi Railroad Company *v.* Wheeler, 1 Black, 286; The Steamer Saint Lawrence, 1 Black, 522; The Propeller Commerce, 1 Black, 574; Ex parte Valiandigham, 1 Wall., 243; Ex parte Milligan, 4 Wall., 1; The Moses Taylor, 4 Wall., 411; State of Mississippi *v.* Johnson, President, 4 Wall., 475; The Hine *v.* Trevor, 4 Wall., 555; City of Philadelphia *v.* The Collector, 5 Wall., 720; State of Georgia *v.* Stanton, 6 Wall., 50; Payne *v.* Hook, 7 Wall., 425; The Alicia, 7 Wall., 571; Ex parte Yerger, 8 Wall., 85; Insurance Company *v.* Dunham, 11 Wall., 1; Virginia *v.* West Virginia, 11 Wall., 39; Coal Company *v.* Blatchford, 11 Wall., 172; Railway Company *v.* Whitton's adm., 13 Wall., 270; Tarble's Case, 13 Wall., 397; Blyew et al. *v.* The United States, 13 Wall., 581; Davis *v.* Gray, 16 Wall., 203; Case of the Sewing Machine Companies, 18 Wall., 553; Insurance Company *v.* Morse, 20 Wall., 445; Vannevar *v.* Bryant, 21 Wall., 41; The Lottawanna, 21 Wall., 558; Gaines *v.* Fuentes et al., 92 U. S.; 10; Claflin *v.* Houseman, assignee, 93 U. S., 130; Muller *v.* Dows, 94 U. S., 444; Doyle *v.* Continental Insurance Company, 94 U. S., 535; United States *v.* Union Pacific Railroad Co., 98 U. S., 569; Tennessee *v.* Davis, 100 U. S., 257; Ex parte Boyd, 105 U. S., 647; Bush *v.* Kentucky, 107 U. S., 110; Transportation Company *v.* Parkersburg, 107 U. S., 691; Goss *v.* United States Mortgage Co., 108 U. S., 477; Chicago and Alton R. R. Co. *v.* Wiggins Ferry Co., 108 U. S., 18; Louisiana *v.* New Orleans, 108 U. S., 568; Ellis *v.* Davis, 109 U. S., 485; Carroll County *v.* Smith, 111 U. S., 556; Southern Pacific Railroad Co. *v.* California, 118 U. S., 109; Barron *v.* Burnside, 121 U. S., 186; Lincoln County *v.* Luning, 133 U. S., 529; Hans *v.* Lou-

isiana, 134 U. S., 1; North Carolina *v.* Temple, 134 U. S., 22; In re Neagle, 135 U. S., 1; Nashua and Lowell R. R. *v.* Boston and Lowell R. R., 136 U. S., 356; Jones *v.* United States, 137 U. S., 202; Cook County *v.* Calumet and Chicago Canal Co., 138 U. S., 635; Manchester *v.* Massachusetts, 139 U. S., 240; In re Garnett, 141 U. S., 1; United States *v.* Texas, 143 U. S., 621; Southern Pacific Company *v.* Denton, 146 U. S., 202; Cooke *v.* Avery, 147 U. S., 375; Cates *v.* Allen, 149 U. S., 451; McNulty *v.* California, 149 U. S., 645; In re Tyler, 149 U. S., 164; Newport Light Co. *v.* Newport, 151 U. S., 527; New York and New England Railroad Co. *v.* Bristol, 151 U. S., 556; Israel *v.* Arthur, 152 U. S., 355; Michigan *v.* Flint and Pere Marquette R. R. Co., 152 U. S., 363; New Orleans *v.* Benjamin, 153 U. S., 411; Mobile and Ohio Railroad Co. *v.* Tennessee, 153 U. S., 486; Reagan *v.* Farmers' Loan and Trust Co., 154 U. S., 362; Inter-State Commerce Commission *v.* Brimson, 154 U. S., 447; Plumley *v.* Massachusetts, 155 U. S., 461; Andrews *v.* Schwarz, 156 U. S., 272; St. Louis and San Francisco Railway Co. *v.* Gill, 156 U. S., 649; Stevens' administrator *v.* Nichols, 157 U. S., 370; In re Debs, petitioner, 158 U. S., 564; Central Land Co. *v.* Laidley, 159 U. S., 103; Folsom *v.* Ninety-Six, 159 U. S., 611; Laing *v.* Rigney, 160 U. S., 531; St. Louis and San Francisco Railway Co. *v.* James, 161 U. S., 545; Woodruff *v.* Mississippi, 162 U. S., 291; Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112; Scott *v.* Donald, 165 U. S., 107; Robertson *v.* Baldwin, 165 U. S., 275; Chicago, Burlington and Quincy R. R. Co. *v.* Chicago, 166 U. S., 226; Forsyth *v.* Hammond, 166 U. S., 506; Oxley Stave Company *v.* Butler County, 166 U. S., 648; In re Lennon, 166 U. S., 548; City Railway Co. *v.* Citizens' Street R. R. Co., 166 U. S., 557; Douglas *v.* Kentucky, 168 U. S., 488; Miller *v.* Cornwall R. R. Co., 168 U. S., 131; Baker *v.* Grice, 169 U. S., 284; Smyth *v.* Ames, 169 U. S., 466; Backus *v.* Fort street Union Depot Co., 169 U. S., 557; Tinsley *v.* Anderson, 171 U. S., 101; Walla Walla City *v.* Walla Walla Water Co., 172 U. S., 1; Green Bay and Mississippi Canal Co. *v.* Patten Paper Co., 172 U. S., 58; Meyer *v.* Richmond, 172 U. S., 82; McCullough *v.* Virginia, 172 U. S., 102; Fitts *v.* McGhee, 172 U. S., 516; Dewey *v.* Des Moines, 173 U. S., 193; Nicol *v.* Ames, 173 U. S., 509; Covington *v.* Kentucky, 173 U. S., 231; La Abra Silver Mining Co., *v.* United States, 175 U. S., 423; Louisiana *v.* Texas, 176 U. S., 1; Whitman *v.* Oxford National Bank, 176 U. S., 559; Hancock National Bank *v.* Farnum, 176 U. S., 640; Carter *v.* Texas, 177 U. S., 442; Smith *v.* Reeves, 178 U. S., 436; Western Union Telegraph Co. *v.* Ann Arbor Railroad Co., 178 U. S., 239; Wiley *v.* Sinkler, 179 U. S., 58; [5] Missouri *v.* Illinois, 180 U. S., 208; Eastern Building Association *v.* Welling, 181 U. S., 47; Dooley *v.* United States, 182 U. S., 222; Tullock *v.* Mulvane, 184 U. S., 497; Patton *v.* Brady, 184 U. S., 608; [5] Kansas *v.* Colorado, 185 U. S., 125; [1] Swafford *v.* Templeton, 185 U. S., 487; [1] Mobile, Transportation Co. *v.* Mobile, 187 U. S., 479; [1] Andrews *v.* Andrews, 188 U. S., 14; [1] Hooker *v.* Los Angeles, 188 U. S., 314; [1] Cummings *v.* Chicago, 188 U. S., 410; [1] Schaefer *v.* Werling, 188 U. S., 516; [3] The Roanoke, 189 U. S., 185; [1] Detroit, &c., Ry. *v.* Osborn, 189 U. S., 383; [3] Patterson *v.* Bark Eudora, 190 U. S., 169; [1] Howard *v.* Fleming, 191 U. S., 126; [1, 7] Arbuckle *v.* Blackburn 191 U. S., 405; [1] Deposit Bank *v.* Frankfort, 191 U. S., 499; [1, 7] Spencer *v.* Duplan Silk Co., 191 U. S., 526; [1] Wabash R. R. Co. *v.* Pearce, 192 U. S., 179; [1] Rogers *v.* Alabama, 192 U.S., 226; [5] South Dakota *v.* North Carolina, 192 U. S., 286; [1] Bankers' Casualty Co. *v.* Minn. St. P., &c., Ry., 192 U. S., 371; [1] Spreckels Sugar Refining Co. *v.* McClain, 192 U. S., 397; [7] Minnesota *v.* Northern Securities Co., 194 U. S., 48; [1] Pacific Electric Ry. Co. *v.* Los Angeles, 194 U. S., 112; [1] Hooker *v.* Burr, 194 U. S., 415; [1] Cleveland *v.* Cleveland City Ry. Co., 194 U. S., 517; [7] Traction Company *v.* Mining Co., 196 U. S., 239; [7] Dawson *v.* Columbia Trust Co., 197 U. S., 178; [9] Jacobson *v.* Massachusetts, 197 U. S., 11; [1] Leonard *v.* Vicksburg, &c., R. R. Co., 198 U. S., 416; [7] Farrell *v.* O'Brien, 199 U. S., 89; [1] South Carolina *v.* United States, 199 U. S., 437; [1] Carfer *v.* Caldwell, 200 U. S., 293.

[2] In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be a Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Chisholm, ex., *v.* Georgia, 2 Dall., 419; Wiscart et al. *v.* Dauchy, 3 Dall., 221; Marbury *v.* Madison, 1 Cr., 137; Durousseau et al. *v.* United States, 6 Cr., 307; Martin *v.* Hunter's lessee, 1 Wh., 304; Cohens *v.* Virginia, 6 Wh., 234; Ex parte Kearney, 7 Wh., 38; Wayman *v.* Southard, 10 Wh., 1; Bank of the United States *v.* Halstead, 10 Wh., 51; United States *v.* Ortega, 11 Wh., 467; The Cherokee Nation *v.* The State of Georgia, 5 Pet., 1; Ex parte Crane et als., 5 Pet., 189; The State of New Jersey *v.* The State of New York, 5 Pet., 283; Ex parte Sibbald *v.* United States, 12 Pet., 488; The State of Rhode Island *v.* The State of Massachusetts, 12 Pet., 657; State of Pennsylvania *v.* The Wheeling, &c., Bridge Company, 13 How., 518; In re Kaine, 14 How., 103; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Freeborn *v.* Smith, 2 Wall., 160; Ex parte McCardle, 6 Wall., 318; Ex parte McCardle, 7 Wall., 506; Ex parte Yerger, 8 Wall., 85; The Lucy, 8 Wall., 307; The Justices *v.* Murray, 9 Wall., 274; Pennsylvania *v.* Quicksilver Company, 10 Wall., 553; Murdock *v.* City of Memphis, 20 Wall., 590; The "Francis Wright," 105 U. S., 381; Börs *v.* Preston, 111 U. S., 252; Ames *v.* Kansas, 111 U. S., 449; Craig *v.* Leitensdorfer, 127 U. S., 764; Wisconsin *v.* Pelican Ins. Co., 127 U. S., 265; United States *v.* Texas, 143 U. S., 621; Louisiana *v.* Texas, 176 U. S., 1; Wilkes County *v.* Coler, 180 U. S., 506; W. W. Cargill Co. *v.* Minnesota, 180 U. S., 452; Mallett *v.* North Carolina, 181 U. S., 589.

[3] The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Ex parte Milligan, 4 Wall., 2; Barton *v.* Barbour, 104 U. S., 126; Ex parte Wall., 107 U. S., 265; Callan *v.* Wilson, 127 U. S., 540; Nashville, Chattanooga, etc., Railway *v.* Alabama, 128 U. S., 96; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Jones *v.* United States, 137 U. S., 202; Cook *v.* United States, 138 U. S., 157; In re Ross, 140 U. S., 453; Fong Yul Ting *v.* United States, 149 U. S., 698; In re Debs, petitioner, 158 U. S., 564; Thompson *v.* Utah, 170 U. S., 343; Schick *v.* United States, 195 U. S., 65; Dorr *v.* United States, 195 U. S., 138; Matter of Strauss, 197 U. S., 324; Marvin *v.* Trout, 199 U. S., 212; Martin *v.* Texas, 200 U. S., 316.

SECTION 3. [1] Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be

convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

United States *v.* The Insurgents, 2 Dall., 335; United States *v.* Mitchell, 2 Dall., 348; Ex parte Bollman and Swartwout, 4 Cr., 75; United States *v.* Aaron Burr, 4 Cr., 469.

[2] The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the person Attainted.

Bigelow *v.* Forest, 9 Wall., 339; Day *v.* Micou, 18 Wall., 156; Ex parte Lange, 18 Wall., 163; Wallach et al. *v.* Van Riswick, 92 U. S., 202.

ARTICLE. IV.

SECTION. 1. Full Faith and Credit shall be given in each State to the Public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Mills *v.* Duryee, 7 Cr., 481; Hampton *v.* McConnel, 3 Wh., 234; Mayhew *v.* Thatcher, 6 Wh., 129; Darby's Lessee *v.* Mayer, 10 Wh., 465; The United States *v.* Amedy, 11 Wh., 392; Caldwell et al. *v.* Carrington's heirs, 9 Pet., 86; M'Elmoyle *v.* Cohen, 13 Pet., 312; The Bank of Augusta *v.* Earle, 13 Pet., 519; Bank of the State of Alabama *v.* Dalton, 9 How., 522; D'Arcy *v.* Ketchum, 11 How., 165; Christmas *v.* Russell, 5 Wall., 290; Green *v.* Van Buskirk, 7 Wall., 139; Paul *v.* Virginia, 8 Wall., 168; Board of Public Works *v.* Columbia College, 17 Wall, 521; Thompson *v.* Whitman, 18 Wall, 457; Pennoyer *v.* Nebb, 95 U. S., 714; Bonaparte *v.* Tax Court, 104 U. S., 592; Robertson *v.* Pickrell, 109 U. S., 608; Brown et al. *v.* Houston, Collector, et al., 114 U. S., 622; Hanley *v.* Donoghue, 116 U. S., 1; Renaud *v.* Abbott, 116 U. S., 277; Chicago & Alton R. R. *v.* Wiggins Ferry Co., 119 U. S., 615; Borer *v.* Chapman, 119 U. S., 587; Cole *v.* Cunningham, 133 U. S., 107; Blount *v.* Walker, 134 U. S., 607; Simmons *v.* Saul, 138 U. S., 439; Reynolds *v.* Stockton, 140 U. S., 254; Carpenter *v.* Strange, 141 U. S., 87; Huntington *v.* Attrill, 146 U. S., 657; Glenn *v.* Garth, 147 U. S., 360; Laing *v.* Rigney, 160 U. S., 531; Chicago, Rock Island & Pacific Railway Co. *v.* Sturm, 174 U. S., 710; Thormann *v.* Frame, 176 U. S., 350; Hancock National Bank *v.* Farnum, 176 U. S., 640; Clarke *v.* Clarke et al., 178 U. S., 186; Wilkes County *v.* Coler, 180 U. S., 506; W. W. Cargill Co. *v.* Minnesota, 180 U. S., 452; Johnson *v.* New York Life Ins. Co., 187 U. S., 491; Andrews *v.* Andrews, 188 U. S., 14; Blackstone *v.* Miller, 188 U. S., 189; Finney *v.* Guy, 189 U. S., 335; Anglo-American Provision Co. *v.* Davis Provision Co., 191 U. S., 373; Wabash R. R. Co. *v.* Flannigan, 192 U. S., 29; German Savings Society *v.* Dormitzer, 192 U. S., 125; Wedding *v.* Meyler, 192 U. S., 573; National Mutual Building and Loan Ass. *v.* Brahan,

198 U. S., 635; Minnesota *v.* Northern Securities Co., 194 U. S., 48; National Exchange Bank *v.* Wiley, 185 U. S., 257; Jaster *v.* Currie, 198 U. S., 144; Harding *v.* Harding, 198 U. S., 317; Harris *v.* Balk, 198 U. S., 215; Louisville & Nashville R. R. *v.* Deer, 200 U. S., 176.

SECTION. 2. [1] The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

Bank of United States *v.* Devereux, 5 Cr., 61; Gassius *v.* Ballou, 6 Pet., 761; The State of Rhode Island *v.* The Commonwealth of Massachusetts, 12 Pet., 657; The Bank of Augusta *v.* Earle 13 Pet., 519; Moore *v.* The People of The State of Illinois, 14 How., 13; Conner et al. *v.* Elliott et al., 18 How., 591; Dred Scott *v.* Sanford, 19 How., 393; Crandall *v.* State of Nevada, 6 Wall., 35; Woodruff *v.* Parham, 8 Wall., 123; Paul *v.* Virginia, 8 Wall., 168; Downham *v.* Alexandria Council, 10 Wall., 173; Liverpool Insurance Company *v.* Massachusetts, 10 Wall.; 566; Ward *v.* Maryland, 12 Wall., 418; Slaughterhouse Cases, 16 Wall., 36; Bradwell *v.* The State, 16 Wall., 130; Chemung Bank *v.* Lowery, 93 U. S., 72; McCready *v.* Virginia, 94 U. S., 391; Philadelphia Fire Association *v.* New York, 119 U. S., 110; Pembina Mining Co. *v.* Pennsylvania, 125 U. S., 181; Kimmish *v.* Ball, 129 U. S., 217; Cole *v.* Cunningham, 133 U. S., 107; Manchester *v.* Massachusetts, 139 U. S., 240; Pittsburg & Southern Coal Co. *v.* Bates, 156 U. S., 577; Vance *v.* W. A. Vandercook, No. 1, 170 U, S., 438; Blake *v.* McClung, 172 U. S., 239; Williams *v.* Fears, 179 U. S., 270; Travellers Insurance Co. *v.* Connecticut, 185 U. S., 364; Chadwick *v.* Kelley, 187 U. S., 540; Diamond Glue Co. *v.* U. S. Glue Co., 187 U. S., 611; Blackstone *v.* Miller, 188 U. S., 189; Anglo American Provision Co. *v.* Davis Provision Co., 191 U. S., 373.

[2] A person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

Holmes *v.* Jennison et al., 14 Pet., 540; Commonwealth of Kentucky *v.* Dennison, governor, 24 How., 66; Taylor *v.* Tainter, 16 Wall., 366; Carroll County *v.* Smith, 111 U. S., 556; ex parte Reggel, 114 U. S., 642; Mahon *v.* Justice, 127 U. S., 700; Lascelles *v.* Georgia, 148 U. S., 537; Utter *v.* Franklin, 172 U. S., 416; Munsey *v.* Clough, 196 U. S., 364.

[3] No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

Prigg *v.* The Commonwealth of Pennsylvania, 16 Pet., 539; Jones *v.* Van Zandt, 5 How., 215; Strader et al. *v.* Graham, 10 How., 82; Moore *v.* The People of the State of Illinois, 14 How., 13; Dred Scott *v.* Sanford, 19 How., 393; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506.

SECTION. 3. [1] New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

American Insurance Company et al. *v.* Canter (356 bales cotton), 1 Pet., 511; Pollard's Lessee *v.* Hagan, 3 How., 212; Cross et al. *v.* Harrison, 16 How., 164; Benson *v.* United States, 146 U. S., 325; Ward *v.* Race Horse, 163 U. S., 504; Bolln *v.* Nebraska, 176 U. S., 83.

[2] The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

McCulloch *v.* State of Maryland, 4 Wh., 316; American Insurance Company *v.* Canter, 1 Pet., 511; United States *v.* Gratiot et al., 14 Pet., 526; United States *v.* Rogers, 4 How., 567; Cross et al. *v.* Harrison, 16 How., 164; Muckey et al. *v.* Coxe, 18 How., 100; Dred Scott *v.* Sandford, 19 How., 393; Gibson *v.* Chouteau, 13 Wall., 92; Clinton *v.* Englebert, 13 Wall., 434; Beall *v.* New Mexico, 16 Wall., 535; National Bank *v.* Yankton County, 101 U. S., 129; United States *v.* Waddell et als., 112 U. S., 76; Van Brocklin *v.* State of Tennessee, 117 U. S., 151; Clayton *v.* Utah Territory, 132 U. S., 632; Wisconsin Central Railroad Co. *v.* Price, 133 U. S., 496; Geofroy *v.* Riggs, 133 U. S., 258; Mormon Church *v.* United States, 136 U. S., 1; Jones *v.* United States, 137 U. S., 202; St. Paul, Minneapolis, etc., Railway Co. *v.* Phelps, 137 U. S., 528; Talton *v.* Mayes, 163 U. S., 376; American Publishing Co. *v.* Fisher, 166 U. S., 464; Camfield *v.* United States, 167 U. S., 518; Thompson *v.* Utah, 170 U. S., 343; Green Bay & Mississippi Canal Co. *v.* Patten Paper Co., 173 U. S., 179; Neely *v.* Henkel (No. 1), 180 U. S., 109; De Lima *v.* Bidwell, 182 U. S., 1; Dooley *v.* United States, 182 U. S., 222; Downes *v.* Bidwell, 182 U. S., 244; Fourteen Diamond Rings *v.* United States, 183 U. S., 176; Hawaii *v.* Mankichi, 190 U. S., 197; Binns *v.* United States, 194 U. S., 486; Dorr *v.* United States, 195 U. S., 138; Rassmussen *v.* United States, 197 U. S., 516.

SECTION. 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Luther *v.* Borden, 7 How., 1; Texas *v.* White, 7 Wall., 700; In re Duncan, 139 U. S., 449; Taylor et al. *v.* Beckham (No. 1), 178 U. S., 548; South Carolina *v.* United States, 199 U. S., 437.

ARTICLE. V.

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE. VI.

[1] All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

[2] This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

Hayburn's case, 2 Dall., 409; Ware *v.* Hylton, 3 Dall., 199; Calder and wife *v.* Bull and wife, 3 Dall., 386; Marbury *v.* Madison, 1 Cr., 137; Chirac *v.* Chirac, 2 Wh., 259; McCulloch *v.* The State of Maryland, 4 Wh., 316; Society *v.* New Haven, 8 Wh., 464; Gibbons *v.* Ogden, 9 Wh., 1; Foster and Elam *v.* Neilson, 2 Pet., 253; Buckner *v.* Finley, 2 Pet., 586; Worcester *v.* State of Georgia, 6 Pet., 515; Kennett et al. *v.* Chambers, 14 How., 38; Dodge *v.* Woolsey, 18 How., 331; State of New York *v.* Dibble, 21 How., 366; Ableman *v.* Booth and United States *v.* Booth, 21 How., 506; Sinnot *v.* Davenport, 22 How., 227; Foster *v.* Davenport, 22 How., 244; Haver *v.* Yaker, 9 Wal., 32; Claflin *v.* Houseman, assignee, 93 U. S., 130; United States *v.* 43 Gallons of Whiskey, 93 U. S., 188; Hanenstein *v.* Lynham, 100 U. S., 483;

Neal *v.* Delaware, 103 U. S., 370; Ex parte Crow Dog, 109 U. S., 556; Carroll County *v.* Smith, 111 U. S.. 556; Head Money Cases, 112 U. S., 580; Van Brocklin *v.* State of Tennessee, 117 U. S., 151; United States *v.* Rauscher, 119 U. S., 407; Kerr *v.* Illinois, 119 U. S., 436; Whitney *v.* Robinson, 124 U. S., 190; The Chinese Exclusion Cases, 130 U. S., 581; Geofroy *v.* Riggs, 133 U. S., 258; In re Neagle, 135 U. S., 1; Horner *v.* United States, 143 U. S., 570; Fong Yue Ting *v.* United States, 149 U. S., 698; Gulf, Colorado and Santa Fé Railway Co. *v.* Hefley, 158 U. S., 98; Ward *v.* Race Horse, 163 U. S., 504; McClellan *v.* Chipman, 164 U. S., 347; Smyth *v.* Ames, 169 U. S., 466; Missouri, Kansas & Texas Railway Co. *v.* Haber, 169 U. S., 613; Ohio *v.* Thomas, 173 U. S., 276; Lone Wolf *v.* Hitchcock, 187 U. S., 553; South Carolina *v.* United States, 199 U. S., 437.

[3] The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

Ex parte Garland, 4 Wall., 333; Davis *v.* Beason, 133 U. S., 333; Mormon Church *v.* United States, 136 U. S., 1.

ARTICLE. VII.

The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty seven and of the Independence of the United States of America the Twelfth. **In Witness** whereof We have hereunto subscribed our Names,

G° WASHINGTON—
Presidt. and Deputy from Virginia

New Hampshire.

JOHN LANGDON, NICHOLAS GILMAN.

Massachusetts.

NATHANIEL GORHAM, RUFUS KING.

Connecticut.

WM. SAML. JOHNSON, ROGER SHERMAN.

New York.

ALEXANDER HAMILTON.

New Jersey.

WIL: LIVINGSTON, WM. PATERSON,
DAVID BREARLEY, JONA. DAYTON.

Pennsylvania.

B. FRANKLIN, THOMAS MIFFLIN,
ROBT. MORRIS, GEO: CLYMER,
THO: FITZSIMONS, JARED INGERSOLL,
JAMES WILSON, GOUV: MORRIS.

Delaware.

GEO: READ, GUNNING BEDFORD, Jun'r,
JOHN DICKINSON, RICHARD BASSETT.
JACO: BROOM,

Maryland.

JAMES M'HENRY, DAN: OF ST. THOS. JENIFER.
DANL CARROLL

Virginia.

JOHN BLAIR, JAMES MADISON, Jr,

North Carolina.

WM. BLOUNT, RICH'D DOBBS SPAIGHT
HU. WILLIAMSON.

South Carolina.

J. RUTLEDGE, CHARLES COTESWORTH PINCKNEY,
CHARLES PINCKNEY, PIERCE BUTLER.

Georgia.

WILLIAM FEW, ABR. BALDWIN.

Attest: WILLIAM JACKSON, *Secretary.*

ARTICLES IN ADDITION TO, AND AMENDMENT OF, THE CONSTITUTION OF THE UNITED STATES OF AMERICA, PROPOSED BY CONGRESS, AND RATIFIED BY THE LEGISLATURES OF THE SEVERAL STATES PURSUANT TO THE FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION.

[ARTICLE I.]*

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Terret et al. *v.* Taylor et al., 9 Cr., 43; Vidal et al. *v.* Girard et al., 2 How., 127; Ex parte Garland, 4 Wall., 333; United States *v.* Cruikshank et al., 92 U. S., 542; Reynolds *v.* United States, 98 U. S., 145; Spiers *v.* Illinois, 123 U. S., 131; Davis *v.* Beason, 133 U. S. 333; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Mormon Church *v.* United States, 136 U. S., 1; In re Rapier, 143 U. S., 110; Horner *v.* United States, 143 U. S., 207; Bradfield *v.* Roberts, 175 U. S., 291; Turner *v.* Williams, 194 U. S., 279; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Presser *v.* Illinois, 116 U. S., 252; Spiers *v.* Illinois, 123 U. S., 131; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Jack *v.* Kansas, 199 U. S., 372.

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*The first ten amendments to the Constitution of the United States were proposed to the legislatures of the several States by the First Congress, on the 25th of September, 1789. They were ratified by the following States, and the notifications of ratification by the governors thereof were successively communicated by the President to Congress: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; Pennsylvania, March 10, 1790; New York, March 27, 1790; Rhode Island, June 15, 1790; Vermont, November 3, 1791, and Virginia, December 15, 1791. There is no evidence on the journals of Congress that the legislatures of Connecticut, Georgia, and Massachusetts ratified them.

[ARTICLE III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Spiers *v.* Illinois, 123 U. S., 131; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Smith *v.* State of Maryland, 18 How., 71; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Ex parte Milligan, 4 Wall., 2; Boyd *v.* United States, 116 U. S., 616; Spiers *v.* Illinois, 123 U. S., 131; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Fong Yue Ting *v.* United States, 149 U. S., 698; Interstate Commerce Commission *v.* Brimson, 154 U. S., 447; In re Chapman, 166 U. S., 661; Adams *v.* New York, 192 U. S., 585; Morris *v.* Hitchcock, 194 U. S., 384; Public Clearing House *v.* Coyne, 194 U. S., 497; Interstate Commerce Commission *v.* Baird, 194 U. S., 25; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger;[1] nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb;[2] nor shall be compelled in any Criminal Case to be a witness against himself;[3] nor be deprived of life, liberty, or property, without due process of law;[4] nor shall private property be taken for public use, without just compensation.[5]

United States *v.* Perez, 9 Wh., 579; Barron *v.* The City of Baltimore, 7 Pet., 243; Fox *v.* Ohio, 5 How. 410; West River Bridge Company *v.* Dix et al., 6 How., 507.

Mitchell *v.* Harmony, 13 How., 115; Moore, ex., *v.* The People of the State of Illinois, 14 How., 13; Murray's Lessee et al. *v.* Hoboken Land and Improvement Company, 18 How., 272; Dynes *v.* Hoover, 20 How., 65; Withers *v.* Buckley et al., 20 How., 84; Gilman *v.* The City of Sheboygan, 2 Black, 510; Ex parte Milligan, 4 Wall., 2; Twitchell *v.* The Commonwealth, 7 Wall., 321; Hepburn *v.* Griswold, 8 Wall., 603; Miller *v.* United States, 11 Wall., 268; Legal Tender Cases, 12 Wall., 457; Pumpelly *v.* Green Bay Company, 13 Wall., 166; Osborn *v.* Nicholson, 13 Wall., 654; Ex parte Lange, 18 Wall., 163; Kohl et al. *v.* United States, 91 U. S., 367; Davidson *v.* New Orleans, 96 U. S., 97; Sinking Fund Cases, 99 U. S., 700; Langford *v.* United States, 101 U. S., 341; Kelly *v.* Pittsburgh, 104 U. S., 78; Ex parte Wall., 107 U. S., 265: United States *v.* Jones, 109 U. S., 513; United States *v.* Great Falls Manufacturing Co., 112 U. S., 645; Ex parte Wilson, 114 U. S., 417; Boyd *v.* United States, 116 U. S., 616; Mackin *v.* United States, 117 U. S., 348; Ex parte Bain, 121 U. S., 1; Parkinson *v.* United States, 121 U. S., 281; Spiers *v.* Illinois, 123 U. S., 131; Callan *v.* Wilson, 127 U. S., 540; United States *v.* De Walt, 128 U. S., 393; Manning *v.* French, 133 U. S., 186; Eilenbecker *v.* Plymouth County, 134 U. S., 31: Louisville & Nashville R. R. Co. *v.* Woodson, 134 U. S., 614; In re Ross, 140 U. S., 453; Counselman *v.* Hitchcock, 142 U. S., 547; Simmonds *v.* United States, 142 U. S., 148; Thorington *v.* Montgomery, 147 U. S., 490; Monongahela Navigation Co. *v.* United States, 148 U. S., 312; Fong Yue Ting *v.* United States, 149 U. S., 698; Lees *v.* United States, 150 U. S., 476; Marchant *v.* Pennsylvania Railroad Co., 153 U. S., 380; Linford *v.* Ellison, 155 U. S., 503; Johnson *v.* Sayre, 158 U. S., 109; Sweet *v.* Rechel, 159 U. S., 380; Brown *v.* Walker, 161 U. S., 591; Wong Wing *v.* United States, 163 U. S., 228; Talton *v.* Mayes, 163 U. S., 376; Bauman *v.* Ross, 167 U. S., 548; Wilson *v.* Lambert, 168 U. S., 611; United States *v.* Joint Traffic Association, 171 U. S., 505; Maxwell *v.* Dow, 176 U. S., 581; Scranton *v.* Wheeler, 179 U. S., 141; McDonald *v.* Massachusetts, 180 U. S., 311; Neely *v.* Henkel (No. 1), 180 U. S., 109; French *v.* Barber Asphalt Paving Co., 181 U. S., 324; Wight *v.* Davidson, 181 U. S., 371; Tonawanda *v.* Lyon, 181 U. S., 389; Capital City Dairy Co. *v.* Ohio, 183 U. S., 238; Hanover National Bank *v.* Moyses, 186 U. S., 181; Dreyer *v.* Illinois, 187 U. S., 71; Lone Wolf *v.* Hitchcock, 187 U. S., 553; United States *v.* Lynah, 188 U. S., 445; The Japanese Immigrant Case, 189 U. S., 86; Hawaii *v.* Mankichi, 190 U. S., 197; Bedford *v.* United States, 192 U. S., 217; Buttfield *v.* Stranahan, 192 U. S., 470; Adams *v.* New York, 192 U. S., 585; [4] Minneapolis & St. Louis R. R. Co. *v.* Minnesota, 193 U. S., 53; [1] Beavers *v.* Henkel, 194 U. S., 73; [4] Morris *v.* Hitchcock, 194 U. S., 384; [4] Lloyd *v.* Dollison, 194 U. S., 445; [4] Public Clearing House *v.* Coyne, 194 U. S., 497; [4] Turner *v.* Williams, 194 U. S., 279; [5] Shepard *v.* Barron, 194 U. S., 553; Interstate Commerce Commission *v.* Baird, 194 U. S., 25; [2] Kepner *v.* United States, 195 U. S., 100; McCray *v.* United States, 195 U. S., 27; [1] Rassmussen *v.* United States, 197 U. S., 516; [4] Ju Toy *v.* United States, 198 U. S., 253; [3] Jack *v.* Kansas, 199 U. S., 372; [4] South Carolina *v.* United States, 199 U. S., 437; [2] Trono *v.* United States, 199 U. S., 521; [5] Chicago, B. & Q. Ry. Co. *v.* Drainage Commissioners, 200 U. S., 561; [5] Southern Pacific R. R. Co. *v.* United States, 200 U. S., 341; Howard *v.* Kentucky, 200 U. S., 164.

[ARTICLE VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

United States *v.* Cooledge, 1 Wh., 415; Ex parte Kearney, 7 Wh., 38; United States *v.* Mills, 7 Pet., 142; Barron *v.* City of Baltimore, 7 Pet., 243; Fox *v.* Ohio, 5 How., 410; Withers *v.* Buckley et al., 20 How., 84; Ex parte Milligan, 4 Wall., 2; Twichell *v.* The Commonwealth, 7 Wall., 321; Miller *v.* The United States, 11 Wall., 268; United States *v.* Cook, 17 Wall., 168; United States *v.* Cruikshank et al., 92 U. S., 542; Reynolds *v.* United States, 98 U. S., 145; Spiers *v.* Illinois, 123 U. S., 131; Brooks *v.* Missouri, 124 U. S., 394; Callan *v.* Wilson, 127 U. S., 540; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Jones *v.* United States, 137 U. S., 202; Cook *v.* United States, 138 U. S., 157; In re Shubuya Jugiro, 140 U. S., 291; In re Ross, 140 U. S., 453; Fong Yue Ting *v.* United States, 149 U. S., 698; Mattox *v.* United States, 156 U. S., 237; Rosen *v.* United States, 161 U. S., 29; United States *v.* Zucker, 161 U. S., 475; Wong Wing *v.* United States, 163 U. S., 228; Thompson *v.* Utah, 170 U. S., 343; Maxwell *v.* Dow, 176 U. S., 581; Motes *v.* United States, 178 U. S., 458; Fidelity and Deposit Co. *v.* United States, 187 U. S., 315; Hawaii *v.* Mankichi, 190 U. S., 197; Lloyd *v.* Dollison, 194 U. S., 445; West *v.* Louisiana, 194 U. S., 258; Turner *v.* Williams, 194 U. S., 279; Schirk *v.* United States, 195 U. S., 65; Dorr *v.* United States, 195 U. S., 138; Rassmussen *v.* United States, 197 U. S., 516; Beavers *v.* Haubert, 198 U. S., 77; Marvin *v.* Trout, 199 U. S., 212; Jack *v.* Kansas, 199 U. S., 372; Martin *v.* Texas, 200 U. S., 316; Howard *v.* Kentucky, 200 U. S., 164.

[ARTICLE VII.]

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

United States *v.* La Vengeance, 3 Dall., 297; Bank of Columbia *v.* Oakley, 4 Wh., 235; Parsons *v.* Bedford et al., 3 Pet., 433; Lessee of Livingston *v.* Moore et al., 7 Pet., 469; Webster *v.* Reid, 11 How., 437; State of Pennsylvania *v.* The Wheeling, &c., Bridge Company et al., 13 How., 518; The Justices *v.* Murray, 9 Wall., 274; Edwards *v.* Elliott et al., 21 Wall., 532; Pearson *v.* Yewdall, 95 U. S., 294; McElrath *v.* United States, 102 U. S., 426; Spiers *v.* Illinois, 123 U. S., 131; Arkansas Valley Land & Cattle Co. *v.* Mann., 130 U. S., 69; Eilenbecker *v.* Ply-

mouth County, 134 U. S., 31; Whitehead *v.* Shattuck, 138 U. S., 146; Scott *v.* Neely, 140 U. S., 106; Cates *v.* Allen, 149 U. S., 451; Fong Yue Ting *v.* United States, 149 U. S., 698; Coughran *v.* Bigelow, 164 U. S., 301; Walker *v.* New Mexico & Southern Pacific Railroad, 165 U. S., 593; Chicago, Burlington & Quincy *v.* Chicago, 166 U. S., 226; American Publishing Co. *v.* Fisher, 166 U. S., 464; Rassmussen *v.* United States, 197 U. S., 516; Marvin *v.* Trout, 199 U. S., 212; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Pervear *v.* Commonwealth, 5 Wall., 475; Spiers *v.* Illinois, 123 U. S., 131; Manning *v.* French, 133 U. S., 186; Eilenbecker *v.* Plymouth County, 134 U. S., 31; McElvaine *v.* Brush, 142 U. S., 155; O'Neil *v.* Vermont, 144 U. S., 323; McDonald *v.* Massachusetts, 180 U. S., 311; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Lessee of Livingston *v.* Moore et al., 7 Pet., 469; Spiers *v.* Illinois, 123 U. S., 131; Jack *v.* Kansas, 199 U. S., 372.

[ARTICLE X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Chisholm, ex., *v.* State of Georgia, 2 Dall., 419; Hollingsworth et al. *v.* The State of Virginia, 3 Dall., 378; Martin *v.* Hunter's Lessee, 1 Wh., 304; McCulloch *v.* State of Maryland, 4 Wh., 316; Anderson *v.* Dunn, 6 Wh., 204; Cohens *v.* Virginia, 6 Wh., 264; Osborn *v.* United States Bank, 9 Wh., 738; Buchler *v.* Finley, 2 Pet., 586; Ableman *v.* Booth, 21 How., 506; The Collector *v.* Day, 11 Wall, 113; Claflin *v.* Houseman, assignee, 93 U. S., 130; Inman Steamship Company *v.* Tinker, 94 U. S., 238; United States *v.* Fox, 94 U. S., 315; Tennessee *v.* Davis, 100 U. S., 257; Spiers *v.* Illinois, 123 U. S., 131; Pollock *v.* Farmers' Loan & Trust Co. (Income Tax Case), 157 U. S., 429; Forsyth *v.* Hammond, 166 U. S., 506; St. Anthony Falls Water Power Co. *v.* St. Paul Water Commissioners, 168 U. S., 349; Missouri, Kansas & Texas Railway Co. *v.* Haber, 169 U. S., 613; Hancock Mutual Life Ins. Co. *v.* Warren, 181 U. S., 73; Kansas *v.* Colorado, 185 U. S., 125; Andrews *v.* Andrews, 188 U. S., 14; Northern Securities Co. *v.* United States, 193 U. S., 197; Turner *v.* Williams, 194 U. S., 279; McCray *v.* United States, 195 U. S., 27; Central of Georgia Ry. Co. *v.* Murphey, 196 U. S., 194; Matter of Heff (Indian), 197 U. S., 488; South Carolina *v.* United States, 199 U. S., 437; Jack *v.* Kansas, 199 U. S., 372.

ARTICLE XI.*

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

State of Georgia *v.* Brailsford et al., 2 Dall., 402; Chisholm, ex., *v.* State of Georgia, 2 Dall., 419; Hollingsworth et al. *v.* Virginia, 3 Dall., 378; Cohen *v.* Virginia, 6 Wh., 264; Osborn *v.* United States Bank, 9 Wh., 738; United States *v.* The Planters' Bank, 9 Wh., 904; the Governor of Georgia *v.* Juan Madrazo, 1 Pet., 110; Cherokee Nation *v.* State of Georgia, 5 Pet., 1; Briscoe *v.* The Bank of the Commonwealth of Kentucky, 11 Pet., 257; Curran *v.* State of Arkansas et al., 15 How., 304; Louisiana *v.* Jumel, 107 U. S., 711; New Hampshire *v.* Louisiana, 108 U. S., 76; Clark *v.* Barnard, 108 U. S., 436; Cunningham *v.* Macon & Brunswick Railroad, 109 U. S., 446; Poindexter *v.* Greenlow, 114 U. S., 270; Allen, auditor, et al. *v.* Baltimore & Ohio R. R. Co., 114 U. S., 311; Hagood *v.* Southern, 117 U. S., 52; Ralston *v.* Missouri Fund Commissioners, 120 U. S., 390; In re Ayers, 123 U. S., 443; Lincoln County *v.* Luning, 133 U. S., 529; Christian *v.* Atlantic & North Carolina R. R. Co., 133 U. S., 233; Hans *v.* Louisiana, 134 U. S., 1; North Carolina *v.* Temple, 134 U. S., 22; New York Guaranty Co. *v.* Steele, 134 U. S., 230; Virginia Coupon Cases, 135 U. S., 662; Pennoyer *v.* McConnaughy, 140 U. S., 1; United States *v.* Texas, 143 U. S., 621; In re Tyler, 149 U. S., 164; Reagan *v.* Farmers' Loan & Trust Co., 154 U. S., 362; Scott *v.* Donald, 165 U. S., 58; Scott *v.* Donald, 165 U. S., 107; Tindal *v.* Wesley, 167 U. S., 204; Smyth *v.* Ames, 169 U. S., 466; Fitts *v.* McGhee, 172 U. S., 516; Louisiana *v.* Texas, 176 U. S., 1; Smith *v.* Reeves, 178 U. S., 436; Scranton *v.* Wheeler, 179 U. S., 141; Illinois Central Railroad Co. *v.* Adams, 180 U. S., 28; Prout *v.* Starr, 188 U. S., 537; South Dakota *v.* North Carolina, 192 U. S., 286; Chandler *v.* Dix, 194 U. S., 590; Jacobson *v.* Massachusetts, 197 U. S., 11; Graham *v.* Folsom, 200 U. S., 248; Gunter *v.* Atlantic Coast Line, 200 U. S., 273.

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*The eleventh amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Third Congress on the 5th of September, 1794; and was declared in a message from the President to Congress, dated the 8th of January, 1798, to have been ratified by the legislatures of three-fourths of the States.

ARTICLE XII.*

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The

*The twelfth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Eighth Congress on the 12th of December, 1803, in lieu of the original third paragraph of the first section of the second article, and was declared in a proclamation of the Secretary of State, dated the 25th of September, 1804, to have been ratified by the legislatures of three-fourths of the States.

person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

In re Green, 134 U. S., 377.

ARTICLE XIII.*

SECTION 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

SECTION 2. Congress shall have power to enforce this article by appropriate legislation.

Dred Scott *v.* Sanford, 19 How., 393; White *v.* Hart, 13 Wall., 646; Osborn *v.* Nicholson, 13 Wall., 654; Slaughter-house Cases, 16 Wall., 36; Ex parte Virginia, 100 U. S., 339; Civil Rights Case, 109 U. S., 3; Plessy *v.* Ferguson, 163 U. S., 537; Robertson *v.* Baldwin, 165 U. S., 275; Clyatt *v.* United States, 197 U. S., 207.

*The thirteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-eighth Congress, on the 1st of February, 1865, and was declared, in a proclamation of the Secretary of State, dated the 18th of December, 1865, to have been ratified by the legislatures of twenty-seven of the thirty-six States, viz: Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada, Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia.

ARTICLE XIV.*

SECTION 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.[1] No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;[2] nor shall any State deprive any person of life, liberty, or property, without due process of law;[3] nor deny to any person within its jurisdiction the equal protection of the laws.[4]

Crandall *v.* The State of Nevada, 6 Wall., 35; Paul *v.* Virginia, 8 Wall., 168; Ward *v.* Maryland, 12 Wall., 418; Slaughter-house Cases, 16 Wall., 36; Bradwell *v.* The State, 16 Wall., 130; Bartemeyer *v.* Iowa, 18 Wall., 129; Minor *v.* Happer-

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*The fourteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Thirty-ninth Congress, on the 16th of June, 1866. On the 21st of July, 1868, Congress adopted and transmitted to the Department of State a concurrent resolution declaring that "the legislatures of the States of Connecticut, Tennessee, New Jersey, Oregon, Vermont, New York, Ohio, Illinois, West Virginia, Kansas, Maine, Nevada, Missouri, Indiana, Minnesota, New Hampshire, Massachusetts, Nebraska, Iowa, Arkansas, Florida, North Carolina, Alabama, South Carolina, and Louisiana, being three-fourths and more of the several States of the Union, have ratified the fourteenth article of amendment to the Constitution of the United States, duly proposed by two-thirds of each House of the Thirty-ninth Congress: Therefore *Resolved*, That said fourteenth article is hereby declared to be a part of the Constitution of the United States, and it shall be duly promulgated as such by the Secretary of State." The Secretary of State accordingly issued a proclamation, dated the 28th of July, 1868, declaring that the proposed fourteenth amendment had been ratified, in the manner hereafter mentioned, by the legislatures of thirty-six States, viz: Connecticut, June 30, 1866; New Hampshire, July 7, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866, (and the legislature of the same State passed a resolution in April, 1868, to withdraw its consent to it;) Oregon, September 19, 1866; Vermont, November 9, 1866; Georgia rejected it November 13, 1866, and ratified it July 21, 1868; North Carolina rejected it December 4, 1866, and ratified it July 4, 1868; South Carolina rejected it December 20, 1866, and ratified it July 9, 1868; New York ratified it January 10, 1867; Ohio ratified it January 11, 1867, (and the legislature of the same State passed a resolution in January, 1868, to withdraw its consent to it;) Illinois ratified it January 15, 1867; West Virginia, January 16, 1867; Kansas, January 18, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Missouri, January 26, 1867; Indiana, January 29, 1867; Minnesota, February 1, 1867; Rhode Island, February 7, 1867, Wisconsin, February 13, 1867; Pennsylvania, February 13, 1867; Michigan, February 15, 1867; Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, April 3, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; Louisiana, July 9, 1868; and Alabama, July 13, 1868; Georgia again ratified the amendment February 2, 1870. Texas rejected it November 1, 1866, and ratified February 18, 1870. Virginia rejected it January 19, 1867, and ratified October 8, 1869. The amendment was rejected by Kentucky January 10, 1867; by Delaware February 8, 1867; by Maryland March 23, 1867, and was not afterward ratified by either State.

sett, 21 Wall., 162; Walker *v.* Sauvinet, 92 U. S., 90; Kennard *v.* Louisiana, ex rel. Morgan, 92 U. S., 480; United States *v.* Cruikshank, 92 U. S., 542; Munn *v.* Illinois, 94 U. S., 113; McMillen *v.* Anderson, 95 U. S., 37; Pennoyer *v.* Neff, 95 U. S., 714; Pearson *v.* Yewdall, 95 U. S., 294; Kirtland *v.* Hotchkiss, 100 U. S., 491; Railroad Co. *v.* Richmond, 96 U. S., 521; Davidson *v.* New Orleans, 96 U. S., 97; Strauder *v.* West Virginia, 100 U. S., 303; Virginia *v.* Rivers, 100 U. S., 313; Ex parte Virginia, 100 U. S. 339; Missouri *v.* Lewis, 101 U. S., 22; Neal *v.* Delaware, 103 U. S., 370; Fox *v.* Cincinnati, 104 U. S., 783; Kelly *v.* Pittsburgh, 104 U. S., 78; Pace *v.* Alabama, 106 U. S., 583; Goss *v.* United States Mortgage Co., 108 U. S., 477; Civil Rights Cases, 109 U. S., 3; Louisiana *v.* New Orleans, 109 U. S., 285; Hurtado *v.* California, 110 U. S., 516; Hagar *v.* Reclamation Dist., 111 U. S., 701; Elk *v.* Wilkins, 112 U. S., 94; Foster *v.* Kansas, 112 U. S.. 201; Head *v.* Amoskeag Man'f. Co., 113 U. S., 9; Barbier *v.* Connolly, 113 U. S., 27; Provident Institution for Savings *v.* Mayor and Aldermen of Jersey City, 113 U. S., 506; Soon Hing *v.* Crowley, 113 U. S., 703; Ex parte Reggel, 114 U. S., 642; Wurts et al. *v.* Hoagland et als., 114 U. S., 606; Kentucky Railroad Tax Cases, 115 U. S., 321; Missouri Pacific R. R. Co. *v.* Humes, 115 U. S., 512; Campbell et al. *v.* Holt, 115 U. S., 620; Presser *v.* Illinois, 116 U. S., 252; Railroad Commission Cases, 116 U. S., 307, 347, 352; Royall *v.* Virginia, 116 U. S., 572; Arrowsmith *v.* Harmoning, 118 U. S., 194; Yick Wo *v.* Hopkins, 118 U. S., 356; Santa Clara County *v.* Southern Pacific R. R., 118 U. S., 394; Philadelphia Fire Association *v.* New York, 119 U. S., 110; Home Insurance Co. *v.* New York, 119 U. S., 129; Schmidt *v.* Cobb, 119 U. S., 286; Kerr *v.* Illinois, 119 U. S., 436; Hayes *v.* Missouri, 120 U. S., 68; Baldwin *v.* Franks, 120 U. S., 678; Church *v.* Kelsey, 121 U. S., 282; Spiers *v.* Illinois, 123 U. S., 131; Sands *v.* Manistee River Improvement Co., 123 U. S., 288; Mugler *v.* Kansas, 123 U. S., 623; Pembina Mining Co. *v.* Pennsylvania, 125 U. S., 181; Spencer *v.* Merchant, 125 U. S., 345; Dow *v.* Beidelman, 125 U. S., 680; Bank of Redemption *v.* Boston, 125 U. S., 60; California *v.* Pacific Railroad Co., 127 U. S., 1; Ro Bardo *v.* Lamb, 127 U. S., 58; Missouri Pacific Railway Co. *v.* Mackey, 127 U. S., 205; Powell *v.* Pennsylvania, 127 U. S., 678; Mahon *v.* Justice, 127 U. S., 700; Kidd *v.* Pearson, 128 U. S., 1; Nashville, Chattanooga, etc., Railway *v.* Alabama, 128 U. S., 96; Walston *v.* Nevin, 128 U. S., 578; Minneapolis & St. Louis Railway *v.* Beckwith, 129 U. S., 26; Dent *v.* West Virginia, 129 U. S., 114; Huling *v.* Kaw Valley Railway & Improvement Co., 130 U. S., 559: Freeland *v.* Williams, 131 U. S., 405; Cross *v.* North Carolina, 132 U. S., 131; Pennie *v.* Reis, 132 U. S., 464; Sugg *v.* Thornton, 132 U. S., 524; Manning *v.* French, 133 U. S., 186; Davis *v.* Beason, 133 U. S., 333: Palmer *v.* McMahon, 133 U. S., 660; Eilenbecker *v.* Plymouth County, 134 U. S., 31; Bell Gap R. R. Co. *v.* Pennsylvania, 134 U. S., 232; Chicago, Milwaukee & St. Paul Railway Co. *v.* Minnesota, 134 U. S., 418; Minneapolis Eastern Railroad Co. *v.* Minnesota, 134 U. S., 467; Home Insurance Co. *v.* New York, 134 U. S., 594; Louisville & Nashville R. R. Co. *v.* Woodson, 134 U. S., 614; Cherokee Nation *v.* Southern Kansas R. R., 135 U. S., 641; In re Kemmler, 136 U. S., 436; York *v.* Texas, 137 U. S., 15; Crowley *v.* Christensen, 137 U. S., 86: Wheeler *v.* Jackson, 137 U. S., 245; Holden *v.* Minnesota, 137 U. S., 483; In re Converse, 137 U. S., 624; Caldwell *v.* Texas, 137 U. S., 692; Kauffman *v.* Wooters, 138 U. S., 285; Leeper *v.* Texas, 139 U. S., 462: In re Manning, 139 U. S., 504; Natal *v.* Louisiana, 139 U. S., 621; Lent *v.* Tillson, 140 U. S., 316; In re Rahrer, 140 U. S., 545; New Orleans *v.* New Orleans Water Works Co., 142 U. S., 79; McElvaine *v.* Brush, 142 U. S., 155; Kaukauna Water Power Co. *v.* Green Bay & Mississippi Canal Co., 142 U. S., 254; Charlotte, Augusta & Columbia Railroad Co. *v.* Gibbes, 142 U. S., 386; Pacific Express Co. *v.* Seibert, 142 U. S., 339; Horn Silver Mining Co. *v.* New York, 143 U. S., 305; Budd *v.* New York, 143 U. S., 517; Schwab *v.*

Berggren, 143 U. S., 442; Fielden *v.* Illinois, 143 U. S., 452; O'Neil *v.* Vermont, 144 U. S., 323; New York *v.* Squire, 145 U. S., 175; Brown *v.* Smart, 145 U. S., 454; McPherson *v.* Blacker, 146 U. S., 1; Morley *v.* Lake Shore & Michigan Southern R. R. Co., 146 U. S., 162; Hallinger *v.* Davis, 146 U. S., 314; Yesler *v.* Washington Harbor Line Commissioners, 146 U. S., 646; Jennings *v.* Coal Ridge Improvement & Coal Co., 147 U. S., 147; Giozza *v.* Tiernan, 148 U. S., 657; Paulsen *v.* Portland, 149 U. S., 30; Minneapolis & St. Louis Railway *v.* Emmons, 149 U. S., 364; Fong Yue Ting *v.* United States, 149 U. S., 698; McNulty *v.* California, 149 U. S., 645; Columbus Southern Railway Co. *v.* Wright, 151 U. S., 470; New York & New England Railroad Co. *v.* Bristol, 151 U. S., 556; Lawton *v.* Steele, 152 U. S., 133; Montana Co. *v.* St. Louis Mining & Milling Co., 152 U. S., 160; Duncan *v.* Missouri, 152 U. S., 377; Marchant *v.* Pennsylvania Railroad Co., 153 U. S., 380; Braes *v.* Stoeser, 153 U. S., 391; McKane *v.* Durston, 153 U. S., 684; Scott *v.* McNeal, 154 U. S., 34; Reagan *v.* Farmers' Loan & Trust Co., 154 U. S., 362; Pittsburgh, Cincinnati, Chicago & St. Louis Railway Co. *v.* Backus, 154 U. S., 421; St. Louis & San Francisco Railway Co. *v.* Gill, 156 U. S., 649; Bergeman *v.* Backer, 157 U. S., 655; Gray *v.* Connecticut, 159 U. S., 74; Central Land Co. *v.* Laidley, 159 U. S., 103; Moore *v.* Missouri, 159 U. S., 673; Winona & St. Peter Land Co. *v.* Minnesota, 159 U. S., 526: Iowa Central Railway Co. *v.* Iowa, 160 U. S., 389; Eldridge *v.* Trezevant, 160 U. S., 452; Gibson *v.* Mississippi, 162 U. S., 565; Western Union Telegraph Co. *v.* Taggart, 163 U. S., 1; Lowe *v.* Kansas, 163 U. S., 81; Plessy *v.* Ferguson, 163 U. S., 537; Talton *v.* Mayes, 163 U. S., 376; Fallbrook Irrigation District *v.* Bradley, 164 U. S., 112; Missouri Pacific Railway Co. *v.* Nebraska, 164 U. S., 403; Covington & Lexington Turnpike Co. *v.* Sandford, 164 U. S., 578; St. Louis & San Francisco Railway Co. *v.* Matthews, 165 U. S., 1; Gulf, Colorado & Santa Fé Railway *v.* Ellis, 165 U. S., 150; Jones *v.* Brim, 165 U. S., 180; Adams Express Co. *v.* Ohio State Auditor, 165 U. S., 194; Western Union Telegraph Co. *v.* Indiana, 165 U. S., 304; Allgeyer *v.* Louisiana, 165 U. S., 578; N. Y., N. H. & Hartford R. R. *v.* New York, 165 U. S., 628; Allen *v.* Georgia, 166 U. S., 138; Chicago, Burlington & Quincy R. R. Co. *v.* Chicago, 166 U. S., 226; Gladson *v.* Minnesota, 166 U. S., 427; Sentell *v.* New Orleans & Carrollton R. R. Co., 166 U. S., 698; Henderson Bridge Co. *v.* Kentucky, 166 U. S., 150; Davis *v.* Massachusetts, 167 U. S., 43; Merchants' & Manufacturers' Bank *v.* Pennsylvania, 167 U. S., 461; Turner *v.* New York, 168 U. S., 90; Craemer *v.* Washington State, 168 U. S., 124; Hodgson *v.* Vermont, 168 U. S., 262; Nobles *v.* Georgia, 168 U. S., 398; McHenry *v.* Alford, 168 U. S., 651; Holden *v.* Hardy, 169 U. S., 366; Smyth *v.* Ames, 169 U. S., 466; Wilson *v.* North Carolina, 169 U. S., 586; Savings & Loan Society *v.* Multnomah County, 169 U. S., 421; United States *v.* Wong Kim Ark, 169 U. S., 649; Backus *v.* Fort Street Union Depot Co., 169 U. S., 557; Williams *v.* Mississippi, 170 U. S., 213; Magoun *v.* Illinois Trust & Savings Bank, 170 U. S., 283; Williams *v.* Eggleston, 170 U. S., 304; Tinsley *v.* Anderson, 171 U. S., 101; King *v.* Mullins, 171 U. S., 404; New York *v.* Roberts, 171 U. S., 658: Meyer *v.* Richmond, 172 U. S., 82; Blake *v.* McClung, 172 U. S., 239; Norwood *v.* Baker, 172 U. S., 269; Orient Insurance Co. *v.* Daggs, 172 U. S., 557; Wilson *v.* Eureka City, 173 U. S., 32; Dewey *v.* Des Moines, 173 U. S., 193; St. Louis, Iron Mountain & Southern Railway Co. *v.* Paul, 173 U. S., 404; Lake Shore & Michigan Southern Railway Co. *v.* Smith, 173 U. S., 684; Central Loan & Trust Co. *v.* Campbell Commission Co., 173 U. S., 84; Henderson Bridge Co. *v.* Henderson City, 173 U. S., 592; Atchison, Topeka & Santa Fé R. R. Co. *v.* Matthews, 174 U. S., 96; Brown *v.* New Jersey, 175 U. S., 172; Addyston Pipe and Steel Co. *v.* United States, 175 U. S., 211; Tullis *v.* Lake Erie & Western R. R. Co., 175 U. S., 348; Cumming *v.* Richmond County Board of Education, 175 U. S., 528; Bolin *v.* Nebraska, 176 U. S., 83; Clark *v.* Kansas City, 176 U. S., 114; Wyerhauesser

v. Minnesota, 176 U. S., 550; Maxwell *v.* Dow, 176 U. S., 581; Roller *v.* Holly, 176 U. S., 398; Adirondack Railway Co. *v.* New York State, 176 U. S., 335; Petit *v.* Minnesota, 177 U. S., 164; Grundling *v.* Chicago, 177 U. S., 183; Ohio Oil Co. *v.* Indiana, No. 1, 177 U. S., 190; Louisville & Nashville R. R. Co. *v.* Schmidt, 177 U. S., 230; Saranac Land & Timber Co. *v.* Comptroller of New York, 177 U. S., 318; Carter *v.* Texas, 177 U. S., 442; L'Hote *v.* New Orleans, 177 U. S., 587; Waters-Pierce Oil Co. *v.* Texas, 177 U. S., 28; Taylor et al. *v.* Beckham (No. 1), 178 U. S., 548; Sully et al. *v.* American National Bank, 178 U. S., 289; Wheeler et als. *v.* N. Y., N. H. & Hartford R. R., 178 U. S., 321; American Sugar Refining Co. *v.* Louisiana, 179 U. S., 89; New York State *v.* Barker (No. 1), 179 U. S., 279; Williams *v.* Fears, 179 U. S., 270; Wisconsin, Minnesota and Pacific Railroad *v.* Jacobson, 179 U. S., 287; Mason *v.* Missouri, 179 U. S., 328; McDonald *v.* Massachusetts, 180 U. S., 311; W. W. Cargill Co. *v.* Minnesota, 180 U. S., 452; French *v.* Barber Asphalt Paving Co., 181 U. S., 324; Wight *v.* Davidson, 181 U. S., 371; Tonawanda *v.* Lyon, 181 U. S., 389; Webster *v.* Fargo, 181 U. S., 394; Farrell *v.* West Chicago Park Commissioners, 181 U. S., 404; Red River Valley Bank *v.* Craig, 181 U. S., 548; Mallett *v.* North Carolina, 181 U. S., 589; Simon *v.* Craft, 182 U. S., 427; Cotting *v.* Kansas City Stock Yards Company and the State of Kansas, 183 U. S., 79; Storti *v.* Massachusetts, 183 U. S., 138; Orr *v.* Gilman, 183 U. S., 278; Florida Central and Peninsular Railroad Co. *v.* Reynolds, 183 U. S., 471; Louisville & Nashville Railroad Co. *v.* Kentucky, 183 U. S., 471; Nutting *v.* Massachusetts, 183 U. S., 553; McChord *v.* Louisville & Nashville Railroad Co., 183 U. S., 483; King *v.* Portland City, 184 U. S., 61; Clark *v.* Titusville, 184 U. S., 329; Booth *v.* Illinois, 184 U. S., 425; Goodrich *v.* Detroit, 184 U. S., 432; [3 4] St. Louis Consolidated Coal Co. *v.* Illinois, 185 U. S., 203; [4] Fidelity Mutual Life Association *v.* Mettler, 185 U. S., 308; [4] Travelers' Insurance Co. *v.* Connecticut, 185 U. S., 364; [2] Swafford *v.* Templeton, 185 U. S., 487; [3] Turpin *v.* Lemon, 187 U. S., 51; [3] Dreyer *v.* Illinois, 187 U. S., 71; [2] Reid *v.* Colorado, 187 U. S., 137; [3] Fidelity & Deposit Co. *v.* Maryland, 187 U. S., 315; [4] Chadwick *v.* Kelley, 187 U. S., 540; [3] Otis *v.* Parker, 187 U. S., 606; [2] Diamond Glue Co. *v.* U. S. Glue Co., 187 U. S., 611; [4] Billings *v.* Illinois, 188 U. S., 97; [2] Blackstone *v.* Miller, 188 U. S., 189; [3 4] Hooker *v.* Los Angeles, 188 U. S., 314; [3] Louisville, &c., Ferry Co. *v.* Kentucky, 188 U. S., 399; [3] Williams *v.* Parker, 188 U. S., 491; [2] Reetz *v.* Michigan, 188 U. S., 505; [4] Kidd *v.* Alabama, 188 U. S., 730; [2] Glidden *v.* Harrington, 189 U. S., 255; [4] Farmers', &c., Ins. Co. *v.* Dabney. 189 U. S., 301; [4] Detroit, &c., Ry. *v.* Osborn, 189 U. S., 383; [3] Patterson *v.* Bark Eudora, 190 U. S., 169; [3 4] Howard *v.* Fleming, 191 U. S., 126; [3] Joplin *v.* Light Co., 191 U. S., 150; [3 4] Missouri *v.* Dockery, 191 U. S., 165; [3 4] Atkin *v.* Kansas, 191 U. S,, 207; [3] Hibben *v.* Smith, 191 U. S., 310; [3 4] Board of Assessors *v.* Comptoir National, 191 U. S., 388; [3 4] Arbuckle *v.* Blackburn, 191 U. S., 405; [3] Cronin *v.* Adams, 192 U. S., 108; [3 4] Stanislaus County *v.* San Joaquin C. & I. Co., 192 U. S., 201; [4] Rogers *v.* Alabama, 192 U. S., 226; [3 4] Adams *v.* New York, 192 U. S., 585; [3] Minneapolis & St. Louis R. R. Co. *v.* Minnesota, 193 U. S., 53; [3] Leigh *v.* Green, 193 U. S., 79; [3] Great Southern Hotel Co. *v.* Jones, 193 U. S., 532; [3] Newburyport Water Co. *v.* Newburyport, 193 U. S., 561; [1] Pope *v.* Williams, 193 U. S., 621; [3 4] Cincinnati Street Railway Co. *v.* Snell, 193 U. S., 30; [2 3 4] Rippey *v.* Texas, 193 U. S., 504; [4] Lloyd *v.* Dollison, 194 U. S., 445; [4] Missouri, Kansas & Texas R. R. *v.* May, 194 U. S., 267; [3 4] Field *v.* Barber Asphalt Co., 194 U. S., 618; [3 4] Fischer *v.* St. Louis, 194 U. S., 361; [3] Pacific Electric Ry. Co. *v.* Los Angeles, 194 U. S., 112; [3] West *v.* Louisiana, 194 U. S., 258; [3] Shepard *v.* Barron, 194 U. S., 553; United States *v.* Sing Tuck, 194 U. S., 161; [3] Bradley *v.* Lightcap, 195 U. S., 1; [3] Helena Water Works Co. *v.* Helena, 185 U. S., 383; [3] Seattle *v.* Kelleher, 185 U. S., 351; [3] Dobbins *v.* Los Angeles, 185 U. S., 223; [3] Aikens *v.* Wisconsin, 195 U. S., 194; [3] Olsen *v.* Smith, 195

U. S., 332; [3] National Exchange Bank *v.* Wiley, 195 U. S., 257; [3] Hodge *v.* Muscatine County, 196 U. S., 276; [3] Corry *v.* Mayor and Council of Baltimore, 196 U. S., 466; [3] Scottish Union & National Insurance Co. *v.* Bowland, 196 U. S., 611; [4] Cook *v.* Marshall County, 196 U. S., 261; [4] Coulter *v.* Louisville & Nashville R. R. Co., 196 U. S., 599; [3] Smiley *v.* Kansas, 196 U. S., 447; [3] Dawson *v.* Columbia Trust Co., 197 U. S., 178; [3] Kehrer *v.* Stewart, 197 U. S., 60; [3 4] National Cotton Oil Co. *v.* Texas, 197 U. S., 115; [3] Dallemagne *v.* Moisan, 197 U. S., 169; [3] New Orleans Gas Co. *v.* Drainage Commission, 197 U. S., 453; [3] Louisville & Nashville R. R. Co. *v.* Asphalt Co., 197 U. S., 430; [2 3 4] Jacobson *v.* Massachusetts, 197 U. S., 11; [3] Iron Cliffs Co. *v.* Negaunee Iron Co., 197 U. S., 463; [1] Matter of Heff (Indian), 197 U. S., 488; [3] Muhlker *v.* New York & Harlem R. R. Co., 197 U. S., 544; [3] Lochner *v.* New York, 198 U. S., 45; [3] Clark *v.* Nash, 198 U. S., 361; [3] Cunnius *v.* Reading School District, 198 U. S., 458; [3] Delaware, L., &c., R. R. Co. *v.* Pennsylvania, 198 U. S., 341; [3] Savannah, Thunderbolt, &c., Ry. *v.* Savannah, 198 U. S., 392; [4] Ah Sin *v.* Wittman, 198 U. S., 500; [3 4] Minnesota Iron Co. *v.* Kline, 199 U. S., 593; [3] Carroll *v.* Greenwich Insurance Co., 199 U. S., 401; [3 4] Metropolitan Street Ry. Co. *v.* New York, 199 U. S., 1; [3] Rogers *v.* Peck, 199 U. S., 425; [3 4] Lieberman *v.* Van De Carr, 199 U. S., 552; [3] Jack *v.* Kansas, 199 U. S., 372; [3] Farrell *v.* O'Brien, 199 U. S., 89; [3] Kies *v.* Lowrey, 199 U. S., 233; [3] Marvin *v.* Trout, 199 U. S., 212; [3] Union Transit Co. *v.* Kentucky, 199 U. S., 194; [4] Gardner *v.* Michigan, 199 U. S., 325; [2] Jack *v.* Kansas, 199 U. S., 372; [3] Manigault *v.* Springs, 199 U. S., 473; [3] Gardner *v.* Michigan, 199 U. S., 325; [3] Reduction Co. *v.* Sanitary Reduction Works, 199 U. S., 306; [3] Strickley *v.* Highland Boy Mining Co., 200 U. S., 527; [4] Chicago, B. & Q. Co. *v.* Drainage Commissioners, 200 U. S., 561; [3] Carfer *v.* Caldwell, 200 U. S., 293; [3 4] Howard *v.* Kentucky, 200 U. S., 164; [3] Waterworks Company *v.* Owensboro, 200 U. S., 38; [4] Martin *v.* Texas, 200 U. S., 316; [4] Armour Packing Co. *v.* Lacy, 200 U. S., 226; [4] Campbell *v.* California, 200 U. S., 87.

SECTION 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

McPherson *v.* Blacker, 146 U. S., 1.

SECTION 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

SECTION 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECTION 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV.*

SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.

United States *v.* Reece et al., 92 U. S., 214; United States *v.* Cruikshank et al., 92 U. S., 542; Ex parte Yarborough, 110 U. S., 651; Neal *v.* Delaware, 103 U. S., 370; United States *v.* Waddell et al., 112 U. S., 76; McPherson *v.* Blacker, 146 U. S., 1; James *v.* Bowman, 190 U. S., 127.

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*The fifteenth amendment to the Constitution of the United States was proposed to the legislatures of the several States by the Fortieth Congress on the 27th of February, 1869, and was declared, in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the legislatures of twenty-nine of the thirty-seven States. The dates of these ratifications (arranged in the order of their reception at the Department of State) were: From North Carolina, March 5, 1869; West Virginia, March 3, 1869; Massachusetts, March 9-12, 1869; Wisconsin, March 9, 1869; Maine, March 12, 1869; Louisiana, March 5, 1869; Michigan, March 8, 1869; South Carolina, March 16, 1869; Pennsylvania, March 26, 1869; Arkansas, March 30, 1869; Connecticut, May 19, 1869; Florida, June 15, 1869; Illinois, March 5, 1869; Indiana, May 13-14, 1869; New York, March 17-April 14, 1869 (and the legislature of the same State passed a resolution January 5, 1870, to withdraw its consent to it); New Hampshire, July 7, 1869; Nevada, March 1, 1869; Vermont. October 21, 1869; Virginia, October 8, 1869; Missouri, January 10, 1870; Mississippi, January 15-17, 1870; Ohio, January 27, 1870; Iowa, February 3, 1870; Kansas, January 18-19, 1870; Minnesota, February 19, 1870; Rhode Island, January 18, 1870; Nebraska, February 17, 1870; Texas, February 18, 1870. The State of Georgia also ratified the amendment February 2, 1870.

RATIFICATIONS OF THE CONSTITUTION.

The Constitution was adopted by a Convention of the States September 17, 1787, and was subsequently ratified by the several States, in the following order, viz:

Delaware, December 7, 1787.
Pennsylvania, December 12, 1787.
New Jersey, December 18, 1787.
Georgia, January 2, 1788.
Connecticut, January 9, 1788.
Massachusetts, February 6, 1788.
Maryland, April 28, 1788.
South Carolina, May 23, 1788.
New Hampshire, June 21, 1788.
Virginia, June 26, 1788.
New York, July 26, 1788.
North Carolina, November 21, 1789.
Rhode Island, May 29, 1790.

The State of Vermont, by convention, ratified the Constitution on the 10th of January, 1791, and was, by an act of Congress of the 18th of February, 1791, "received and admitted into this Union as a new and entire member of the United States of America."

RATIFICATIONS OF THE AMENDMENTS TO THE CONSTITUTION.

The first ten of the preceding articles of amendment, (with two others which were not ratified by the requisite number of States,) were submitted to the several State Legislatures by a resolution of Congress which passed on the 25th of September, 1789, at the first session of the First Congress, and was ratified by the Legislatures of the following States:

New Jersey, November 20, 1789.
Maryland, December 19, 1789.
North Carolina, December 22, 1789.
South Carolina, January 19, 1790.
New Hampshire, January 25, 1790.
Delaware, January 28, 1790.
Pennsylvania, March 10, 1790.
New York, March 27, 1790.
Rhode Island, June 15, 1790.
Vermont, November 3, 1791.
Virginia, December 15, 1791.

The acts of the Legislatures of the States ratifying these amendments were transmitted by the governors to the President, and by him communicated to Congress. The Legislatures of Massachusetts, Connecticut, and Georgia, do not appear by the record to have ratified them.

The eleventh article was submitted to the Legislatures of the several States by a resolution of Congress passed on the 5th of March, 1794, at the first session of the Third Congress; and on the 8th of January, 1798, at the second session of the Fifth Congress, it was declared by the President, in a message

to the two Houses of Congress, to have been adopted by the Legislatures of three-fourths of the States, there being at that time sixteen States in the Union.

The twelfth article was submitted to the Legislatures of the several States there being then seventeen States, by a resolution of Congress, passed on the 12th of December, 1803, at the first session of the Eighth Congress; and was ratified by the Legislatures of three-fourths of the States, in 1804, according to a proclamation of the Secretary of State dated the 25th of September, 1804.

The thirteenth article was submitted to the Legislatures of the several States, there being then thirty-six States, by a resolution of Congress passed on the 1st of February, 1865, at the second session of the Thirty-eighth Congress, and was ratified, according to a proclamation of the Secretary of State dated December 18, 1865, by the Legislatures of the following States:

Illinois, February 1, 1865.
Rhode Island, February 2, 1865.
Michigan, February 2, 1865.
Maryland, February 3, 1865.
New York, February 3, 1865.
West Virginia, February 3, 1865.
Maine, February 7, 1865.
Kansas, February 7, 1865.
Massachusetts, February 8, 1865.
Pennsylvania, February 8, 1865.
Virginia, February 9, 1865.
Ohio, February 10, 1865.
Missouri, February 10, 1865.
Indiana, February 16, 1865.
Nevada, February 16, 1865.
Louisiana, February 17, 1865.
Minnesota, February 23, 1865.
Wisconsin, March 1, 1865.
Vermont, March 9, 1865.

Tennessee, April 7, 1865.
Arkansas, April 20, 1865.
Connecticut, May 5, 1865.
New Hampshire, July 1, 1865.
South Carolina, November 13, 1865.
Alabama, December 2, 1865.
North Carolina, December 4, 1865.
Georgia, December 9, 1865.

The following States not enumerated in the proclamation of the Secretary of State also ratified this amendment:

Oregon, December 11, 1865.
California, December 20, 1865.
Florida, December 28, 1865.
New Jersey, January 23, 1866.
Iowa, January 24, 1866.
Texas, February 18, 1870.

The fourteenth article was submitted to the Legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 16th of June, 1866, at the first session of the Thirty-ninth Congress; and was ratified, according to a proclamation of the Secretary of State dated July 28, 1868, by the Legislatures of the following States:

Connecticut, June 30, 1866.
New Hampshire, July 7, 1866.
Tennessee, July 19, 1866.
* New Jersey, September 11, 1866.
† Oregon, September 19, 1866.
Vermont, November 9, 1866.
New York, January 10, 1867.
‡ Ohio, January 11, 1867.
Illinois, January 15, 1867.
West Virginia, January 16, 1867.
Kansas, January 18, 1867.

* New Jersey withdrew her consent to the ratification in April, 1868.
† Oregon withdrew her consent to the ratification October 15, 1868.
‡ Ohio withdrew her consent to the ratification in January, 1868.

Maine, January 19, 1867.
Nevada, January 22, 1867.
Missouri, January 26, 1867.
Indiana, January 29, 1867.
Minnesota, February 1, 1867.
Rhode Island, February 7, 1867.
Wisconsin, February 13, 1867.
Pennsylvania, February 13, 1867.
Michigan, February 15, 1867.
Massachusetts, March 20, 1867.
Nebraska, June 15, 1867.
Iowa, April 3, 1868.
Arkansas, April 6, 1868.
Florida, June 9, 1868.
* North Carolina, July 4, 1868.
Louisiana, July 9, 1868.
*South Carolina, July 9, 1868.
Alabama, July 13, 1868.
* Georgia, July 21, 1868.

*The State of Virginia ratified this amendment on the 8th of October, 1869, subsequent to the date of the proclamation of the Secretary of State.

The States of Delaware, Maryland, Kentucky, and Texas rejected the amendment.

The fifteenth article was submitted to the Legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 27th of February, 1869, at the first session of the Forty-first Congress; and was ratified, according to a proclamation of the Secretary of State dated March 30, 1870, by the Legislatures of the following States:

Nevada, March 1, 1869.
West Virginia, March 3, 1869.
North Carolina, March 5, 1869.

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*North Carolina, South Carolina, Georgia, and Virginia had previously rejected the amendment.

Louisiana, March 5, 1869.
Illinois, March 5, 1869.
Michigan, March 8, 1869.
Wisconsin, March 9, 1869.
Massachusetts, March 12, 1869.
Maine, March 12, 1869.
South Carolina, March 16, 1869.
Pennsylvania, March 26, 1869.
Arkansas, March 30, 1869.
* New York, April 14, 1869.
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Florida, June 15, 1869.
New Hampshire, July 7, 1869.
Virginia, October 8, 1869.
Vermont, October 21, 1869.
Alabama, November 24, 1869.
Missouri, January 10, 1870.
Mississippi, January 17, 1870.
Rhode Island, January 18, 1870.
Kansas, January 19, 1870.
† Ohio, January 27, 1870.
Georgia, February 2, 1870.
Iowa, February 3, 1870.
Nebraska, February 17, 1870.
Texas, February 18, 1870.
Minnesota, February 19, 1870.

‡ The State of New Jersey ratified this amendment on the 21st of February, 1871, subsequent to the date of the proclamation of the Secretary of State.

The States of California, Delaware, Kentucky, Maryland, Oregon, and Tennessee rejected this amendment.

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* New York withdrew her consent to the ratification January 5, 1870.
† Ohio had previously rejected the amendment May 4, 1869.
‡ New Jersey had previously rejected the amendment.

ANALYTICAL INDEX

TO THE

CONSTITUTION OF THE UNITED STATES

AND THE

AMENDMENTS THERETO.

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To constitute tribunals inferior to the Supreme Court.	1	8	9	12
To define and punish piracies and felonies on the high seas, and to punish offenses against the law of nations	1	8	10	12
To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water	1	8	11	12
To raise and support armies, but no appropriation of money to that use shall be for a longer period than two years	1	8	12	12
To provide and maintain a Navy	1	8	13	12
To make rules for the government of the Army and Navy	1	8	14	12
To call out the militia to execute the laws, suppress insurrections, and repel invasions	1	8	15	12
To provide for organizing, arming, and equipping the militia	1	8	16	12
To exercise exclusive legislation over the District fixed for the seat of government, and over forts, magazines, arsenals, and dockyards	1	8	17	12
To make all laws necessary and proper to carry into execution all powers vested by the Constitution in the Government of the United States	1	8	18	13
No person holding any office under the United States shall accept of any present, emolument, office, or title of any kind from any foreign state, without the consent of	1	9	8	15
May determine the time of choosing the electors for President and Vice-President and the day on which they shall give their votes	2	1	3	20

	Art.	Sec.	Cl.	Page.
Congress. The President may, on extraordinary occasions, convene either House of	2	3	–	22
The manner in which the acts, records, and judicial proceedings of the States shall be proved, shall be prescribed by	4	1	–	27
New States may be admitted by Congress into this Union	4	3	1	29
Shall have the power to make all needed rules and regulations respecting the territory or other property belonging to the United States	4	3	2	29
Amendments to the Constitution shall be proposed whenever it shall be deemed necessary by two-thirds of both Houses of	5	–	–	30
Persons engaged in insurrection or rebellion against the United States disqualified for Senators or Representatives in. [Amendments]	14	3	–	46
But such disqualifications may be removed by a vote of two-thirds of both Houses of. [Amendments]	14	3	–	46
Shall have power to enforce, by appropriate legislation, the thirteenth amendment. [Amendments]	13	2	–	40
Shall have power to enforce, by appropriate legislation, the fourteenth amendment. [Amendments]	14	5	–	46
Shall have power to enforce, by appropriate legislation, the fifteenth amendment. [Amendments]	15	2	–	47
Consent. No State shall be deprived of its equal suffrage in the Senate without its	5	–	–	30
Consent of Congress. No person holding any office of profit or trust under the United States shall accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign potentate, without the	1	9	8	15
No State shall lay any imposts, or duties on imports, except what may be absolutely necessary for executing its inspection laws, without the	1	10	2	18
No State shall lay any duty of tonnage, keep troops or ships of war in time of peace, without the	1	10	3	19
No State shall enter into any agreement or compact with another State, or with a foreign power, without the	1	10	3	19
No State shall engage in war unless actually invaded, or in such imminent danger as will not admit of delay, without the	1	10	3	19

	Art.	Sec.	Cl.	Page.
Consent of Congress. No new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures thereof, as well as the.....	4	3	1	29
Consent of the legislature of the State in which the same may be. Congress shall exercise exclusive authority over all places purchased for the erection of forts, magazines, arsenals, dockyards, and other needful buildings by the	1	8	17	13
Consent of the legislatures of the States and of Congress. No States shall be formed by the junction of two or more States or parts of States without the.....	4	3	1	29
Consent of the other. Neither House, during the session of Congress, shall adjourn for more than three days, nor to any other place than that in which they shall be sitting, without the.....	1	5	4	6
Consent of the owner. No soldier shall be quartered in time of peace in any house without the. [Amendments].....	3	–	–	34
Consent of the Senate. The President shall have power to make treaties, by and with the advice and.....	2	2	2	21
The President shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers created by law and not otherwise herein provided for, by and with the advice and	2	2	2	22
Constitution, in the Government of the United States or in any Department or officer thereof. Congress shall have power to pass all laws necessary to the execution of the powers vested by the.....	1	8	18	13
Constitution, shall be eligible to the office of President. No person except a natural-born citizen or a citizen at the time of adoption of the.....	2	1	4	20
Constitution. The President, before he enters upon the execution of his office, shall take an oath to preserve, protect, and defend the.....	2	1	7	21
Constitution, laws, and treaties of the United States. The judicial power shall extend to all cases arising under the	3	2	1	23
Constitution shall be so construed as to prejudice any claims of the United States or of any State (in respect to territory or other property of the United States). Nothing in the	4	3	2	29

	Art.	Sec.	Cl.	Page.
Constitution. The manner in which amendments may be proposed and ratified	5	–	–	30
Constitution as under the Confederation shall be valid. All debts and engagements contracted before the adoption of the	6	–	1	30
Constitution and the laws made in pursuance thereof, and all treaties made, or which shall be made, by the United States, shall be the supreme law of the land. The	6	–	2	30
The judges in every State, anything in the constitution or laws of a State to the contrary notwithstanding, shall be bound thereby	6	–	2	30
Constitution. All officers, legislative, executive, and judicial, of the United States, and of the several States, shall be bound by an oath to support the	6	–	3	31
But no religious test shall ever be required as a qualification for any office or public trust	6	–	3	31
Constitution between the States so ratifying the same. The ratification of the conventions of nine States shall be sufficient for the establishment of the	7	–	–	31
Constitution of certain rights shall not be construed to deny or disparage others retained by the people. The enumeration in the. [Amendments]	9	–	–	37
Constitution, nor prohibited by it to the States, are reserved to the State respectively or to the people. Powers not delegated to the United States by the. [Amendments]	10	–	–	37
Constitution, and then engaged in rebellion against the United States. Disqualification for office imposed upon certain classes of persons who took an oath to support the. [Amendments]	14	3	–	46
Constitution. Done in convention by the unanimous consent of the States present, September 17, 1787	7	–	2	31
Contracts. No State shall pass any *ex post facto* law, or law impairing the obligation of	1	10	1	15
Controversies to which the United States shall be a party; between two or more States; between a State and citizens of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; between a State or its citizens and foreign states, citizens, or subjects. The judicial power shall extend to	3	2	1	23

	Art.	Sec.	Cl.	Page.
Convene Congress or either House, on extraordinary occasions. The President may	2	3	–	22
Convention for proposing amendments to the Constitution. Congress, on the application of two-thirds of the legislatures of the States, may call a	5	–	–	30
Convention, by the unanimous consent of the States present on the 17th of September, 1787. Adoption of the Constitution in	7	–	–	31
Conventions of nine States shall be sufficient for the establishment of the Constitution. The ratification of the	7	–	–	31
Conviction in cases of impeachment shall not be had without the concurrence of two-thirds of the members present	1	3	6	4
Copyrights to authors for limited times. Congress shall have power to provide for	1	8	8	11
Corruption of blood. Attainder of treason shall not work.	3	3	2	27
Counsel for his defense. In all criminal prosecutions the accused shall have the assistance of. [Amendments]	6	–	–	36
Counterfeiting the securities and current coin of the United States. Congress shall provide for the punishment of	1	8	6	11
Courts. Congress shall have power to constitute tribunals inferior to the Supreme Court	1	8	9	12
Courts of law. Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the heads of Departments, or in the	2	2	2	22
Courts as Congress may establish. The judicial power of the United States shall be vested in one Supreme Court and such inferior	3	1	–	23
Courts. The judges of the Supreme and inferior courts shall hold their offices during good behavior	3	1	–	23
Their compensation shall not be diminished during their continuance in office	3	1	–	23
Credit. No State shall emit bills of	1	10	1	15
Credit of the United States. Congress shall have power to borrow money on the	1	8	2	8
Credit shall be given in every other State to the public acts, records, and judicial proceedings of each State. Full faith and	4	1	–	27

	Art.	Sec.	Cl.	Page
Crime, unless on a presentment of a grand jury. No person shall be held to answer for a capital or otherwise infamous. [Amendments]	5	–	–	34
Except in cases in the military and naval forces, or in the militia when in actual service. [Amendments]	5	–	–	34
Crimes and misdemeanors. The President, Vice-President, and all civil officers shall be removed on impeachment for and conviction of treason, bribery, or other	2	4	–	22
Crimes, except in cases of impeachment, shall be tried by jury. All	3	2	3	26
They shall be tried in the State within which they may be committed	3	2	3	26
When not committed in a State, they shall be tried at the places which Congress may by law have provided	3	2	3	26
Criminal prosecutions, the accused shall have a speedy and public trial by jury in the State and district where the crime was committed. In all. [Amendments]	6	–	–	36
He shall be informed of the nature and cause of the accusation. [Amendments]	6	–	–	36
He shall be confronted with the witnesses against him. [Amendments]	6	–	–	36
He shall have compulsory process for obtaining witnesses in his favor. [Amendments]	6	–	–	36
He shall have the assistance of counsel in his defense. [Amendments]	6	–	–	36
Criminate himself. No person as a witness shall be compelled to. [Amendments]	5	–	–	34
Cruel and unusual punishments inflicted. Excessive bail shall not be required, nor excessive fines imposed, nor. [Amendments]	8	–	–	37

D.

Danger as will not admit of delay. No State shall, without the consent of Congress, engage in war, unless actually invaded, or in such imminent	1	10	3	19
Day on which they shall vote for President and Vice-President, which shall be the same throughout the United States. Congress may determine the time of choosing the electors, and the	2	1	3	20

	Art.	Sec.	Cl.	Page.
Day to day, and may be authorized to compel the attendance of absent members. A smaller number than a quorum of each House may adjourn from.....	1	5	1	5
Death, resignation, or inability of the President, the powers and duties of his office shall devolve on the Vice-President. In case of the.....	2	1	5	20
Death, resignation, or inability of the President. Congress may provide by law for the case of the removal...	2	1	5	20
Debt of the United States, including debts for pensions and bounties incurred in suppressing insurrection or rebellion, shall not be questioned. The validity of the public. [Amendments].....	14	4	–	46
Debts. No State shall make anything but gold and silver coin a tender in payment of	1	10	1	15
Debts and provide for the common defense and general welfare of the United States. Congress shall have power to pay the	1	8	1	7
Debts and engagements contracted before the adoption of this Constitution shall be as valid against the United States under it as under the Confederation	6	–	1	30
Debts or obligations incurred in aid of insurrection or rebellion against the United States, or claims for the loss or emancipation of any slave. Neither the United States nor any State shall assume or pay any. [Amendments].....	14	4	–	46
Declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water. Congress shall have power to.....	1	8	11	12
Defense, promote the general welfare, etc. To insure the common. [Preamble].....	–	–	–	1
Defense and general welfare throughout the United States. Congress shall have power to pay the debts and provide for the common.....	1	8	1	7
Defense. In all criminal prosecutions the accused shall have the assistance of counsel for his. [Amendments].....	6	–	–	36
Delaware entitled to one Representative in the First Congress.....	1	2	3	3
Delay. No State shall, without the consent of Congress, engage in war unless actually invaded, or in such imminent danger as will not admit of	1	10	3	19

	Art.	Sec.	Cl.	Page.
Delegated to the United States, nor prohibited to the States, are reserved to the States or to the people. The powers not. [Amendments]	10	–	–	37
Deny or disparage others retained by the people. The enumeration in the Constitution of certain rights shall not be construed to. [Amendments]	9	–	–	37
Departments upon any subject relating to their duties. The President may require the written opinion of the principal officers in each of the Executive	2	2	1	21
Departments. Congress may by law vest the appointment of inferior officers in the heads of	2	2	2	22
Direct tax shall be laid unless in proportion to the census or enumeration. No capitation or other	1	9	4	14
Direct taxes and Representatives, how apportioned among the several States. [Amended by the second section of the fourteenth amendment, on page 45]	1	2	3	3
Disability of the President and Vice-President. Provisions in case of the	2	1	5	20
Disability. No person shall be a Senator or Representative in Congress, or Presidential elector, or hold any office, civil or military, under the United States, or any State, who having previously taken an oath as a legislative, executive, or judicial officer of the United States, or of any State, to support the Constitution, afterwards engaged in insurrection or rebellion against the United States. [Amendments]	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such. [Amendments]	14	3	–	46
Disagreement between the two Houses as to the time of adjournment, the President may adjourn them to such time as he may think proper. In case of	2	3	–	22
Disorderly behavior. Each House may punish its members for	1	5	2	5
And with the concurrence of two-thirds expel a member	1	5	2	5
Disparage others retained by the people. The enumeration in the Constitution of certain rights shall not be construed to deny or. [Amendments]	9	–	–	37
Disqualification. No Senator or Representative shall, during the time for which he was elected, be appointed to any office under the United States which shall have been created or its emoluments increased during such term	1	6	2	6

	Art.	Sec.	Cl.	Page.
Disqualification. No person holding any office under the United States shall be a member of either House during his continuance in office	1	6	2	6
No person shall be a member of either House, Presidential elector, or hold any office under the United States, or any State, who, having previously sworn to support the Constitution, afterwards engaged in insurrection or rebellion. [Amendments]	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such disability. [Amendments]	14	3	–	46
District of Columbia. Congress shall exercise exclusive legislation in all cases over the	1	8	17	12
Dockyards. Congress shall have exclusive authority over all places purchased for the erection of	1	8	17	13
Domestic tranquillity, provide for the common defense, etc. To insure. [Preamble]	–	–	–	1
Domestic violence. The United States shall protect each State against invasion and	4	4	–	29
Due process of law. No person shall be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property without. [Amendments]	5	–	–	34
No State shall deprive any person of life, liberty, or property without. [Amendments]	14	1	–	41
Duties and powers of the office of the President, in case of his death, removal, or inability to act, shall devolve on the Vice-President	2	1	5	20
In case of the disability of the President and Vice-President, Congress shall declare what officer shall act	2	1	5	20
Duties, imposts, and excises. Congress shall have power to lay and collect taxes	1	8	1	7
Shall be uniform throughout the United States	1	8	1	7
Duties shall be laid on articles exported from any State. No tax or	1	9	5	14
Duties in another State. Vessels clearing in the ports of one State shall not be obliged to pay	1	9	6	14
On imports and exports, without the consent of Congress, except where necessary for executing its inspection laws. No State shall lay any	1	10	2	18
Duties on imports or exports. The net produce of all such duties shall be for the use of the Treasury of the United States	1	10	2	18

	Art.	Sec.	Cl.	Page.
Duties on imports or exports. All laws laying such duties shall be subject to the revision and control of Congress	1	10	2	18
Duty of tonnage without the consent of Congress. No State shall lay any	1	10	3	19

E.

Election of President and Vice-President. Congress may determine the day for the	2	1	3	20
Shall be the same throughout the United States. The day of the	2	1	3	20
Elections for Senators and Representatives. The legislatures of the States shall prescribe the time, places, and manner of holding	1	4	1	5
But Congress may, at any time, alter such regulations, except as to the places of choosing Senators	1	4	1	5
Returns and qualifications of its own members. Each House shall be judge of the	1	5	1	5
Electors for members of the House of Representatives. Qualifications of	1	2	1	2
Electors for President and Vice-President. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress.	2	1	2	19
But no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector	2	1	2	19
Congress may determine the time of choosing the electors and the day on which they shall give their votes	2	1	3	20
Which day shall be the same throughout the United States	2	1	3	20
The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. [Amendments]	12	–	–	39
Electors shall name, in their ballots, the person voted for as President; and in distinct ballots the person voted for as Vice-President. [Amendments]	12	–	–	39

	Art.	Sec.	Cl.	Page.
Electors. They shall make distinct lists of the persons voted for as President and of persons voted for as Vice-President, which they shall sign and certify, and transmit sealed to the seat of government, directed to the President of the Senate. [Amendments]	12	–	–	39
No person having taken an oath as a legislative, executive, or judicial officer of the United States, or of any State, and afterwards engaged in insurrection or rebellion against the United States, shall be an elector	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such disability. [Amendments]	14	3	–	46
Emancipation of any slave shall be held to be illegal and void. Claims for the loss or. [Amendments]	14	4	–	46
Emit bills of credit. No State shall	1	10	1	15
Emolument of any kind from any king, prince, or foreign state, without the consent of Congress. No person holding any office under the United States shall accept any	1	9	8	15
Enemies. Treason shall consist in levying war against the United States, in adhering to or giving aid and comfort to their	3	3	1	26
Engagements contracted before the adoption of this Constitution shall be valid. All debts and	6	–	1	30
Enumeration of the inhabitants shall be made within three years after the first meeting of Congress, and within every subsequent term of ten years thereafter	1	2	3	3
Ratio of representation not to exceed one for every 30,000 until the first enumeration shall be made	1	2	3	3
Enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. The. [Amendments]	9	–	–	37
Equal protection of the laws. No State shall deny to any person within its jurisdiction the. [Amendments]	14	1	–	41
Equal suffrage in the Senate. No State shall be deprived without its consent of its	5	–	–	30
Establishment of this Constitution between the States ratifying the same. The ratification of nine States shall be sufficient for the	7	–	–	31
Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. [Amendments]	8	–	–	37

	Art.	Sec.	Cl.	Page.
Excises. Congress shall have power to lay and collect taxes, duties, imposts, and	1	8	1	7
Shall be uniform throughout the United States. All duties, imposts, and	1	8	1	7
Exclusive legislation, in all cases, over such district as may become the seat of government. Congress shall exercise	1	8	17	12
Exclusive legislation over all places purchased for the erection of forts, magazines, arsenals, dockyards, and other needful buildings. Congress shall exercise.	1	8	17	13
Executive of a State. The United States shall protect each State against invasion and domestic violence on the application of the legislature or the	4	4	–	29
Executive and judicial officers of the United States and of the several States shall be bound by an oath to support the Constitution	6	3	–	31
Executive Departments. On subjects relating to their duties the President may require the written opinions of the principal officers in each of the	2	2	1	21
Congress may by law vest the appointment of inferior officers in the heads of	2	2	2	22
Executive power shall be vested in a President of the United States of America. The	2	1	1	19
Expel a member. Each House, with the concurrence of two-thirds, may	1	5	2	5
Expenditures of public money shall be published from time to time. A regular statement of the receipts and	1	9	7	15
Exportations from any State. No tax or duty shall be laid on	1	9	5	14
Exports or imports, except upon certain conditions. No State shall, without the consent of Congress, lay any duties on	1	10	2	18
Laid by any State shall be for the use of the Treasury. The net produce of all duties on	1	10	2	18
Shall be subject to the revision and control of Congress. All laws of the States laying duties on	1	10	2	18
Ex post facto law shall be passed. No bill of attainder or	1	9	3	14
Ex post facto law, or law impairing the obligation of contracts. No State shall pass any bill of attainder	1	10	1	15
Extraordinary occasions. The President may convene both Houses—either House of Congress on	2	3	–	22

F.

	Art.	Sec.	Cl.	Page.
Faith and credit in each State shall be given to the acts, records, and judicial proceedings of another State. Full	4	1	–	27
Felony, and breach of peace. Members of Congress shall not be privileged from arrest for treason	1	6	1	6
Felonies committed on the high seas. Congress shall have power to define and punish piracies and	1	8	10	12
Fines. Excessive fines shall not be imposed. [Amendments]	8	–	–	37
Foreign coin. Congress shall have power to coin money, fix the standard of weights and measures, and to regulate the value of	1	8	5	11
Foreign nations, among the States, and with the Indian tribes. Congress shall have power to regulate commerce with	1	8	3	8
Foreign power. No State shall, without the consent of Congress, enter into any compact or agreement with any	1	10	3	19
Forfeiture, except during the life of the person attainted. Attainder of treason shall not work	3	3	2	27
Formation of new States. Provisions relating to the	4	3	1	29
Form of government. The United States shall guarantee to every State in this Union a republican	4	4	–	29
And shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature can not be convened), against domestic violence	4	4	–	29
Forts, magazines, arsenals, dockyards, and other needful buildings. Congress shall exercise exclusive authority over all places purchased for the erection of	1	8	17	13
Freedom of speech or the press. Congress shall make no law abridging the. [Amendments]	1	–	–	33
Free State, the right of the people to keep and bear arms shall not be infringed. A well-regulated militia being necessary to the security of a. [Amendments]	2	–	–	33
Fugitives from crime found in another State shall, on demand, be delivered up to the authorities of the State from which they may flee	4	2	2	28
Fugitives from service or labor in one State, escaping into another State, shall be delivered up to the party to whom such service or labor may be due	4	2	3	28

G.

	Art.	Sec.	Cl.	Page.
General welfare and secure the blessings of liberty, etc. To promote the. [Preamble]	-	-	-	1
General welfare. Congress shall have power to provide for the common defense and	1	8	1	7
Georgia shall be entitled to three Representatives in the First Congress	1	2	3	3
Gold and silver coin a tender in payment of debts. No State shall make anything but	1	10	1	15
Good behavior. The judges of the Supreme and inferior courts shall hold their offices during	3	1	-	23
Government. The United States shall guarantee to every State in this Union a republican form of	4	4	-	29
And shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature can not be convened), against domestic violence	4	4	-	29
Grand jury. No person shall be held to answer for a capital or otherwise infamous crime, unless on the presentment of a. [Amendments]	5	-	-	34
Except in cases arising in the land and naval forces; and in the militia when in actual service. [Amendments]	5	-	-	34
Guarantee to every State in this Union a republican form of government. The United States shall	4	4	-	29
And shall protect each of them against invasion; and on application of the legislature or of the executive (when the legislature can not be convened), against domestic violence	4	4	-	29

H.

Habeas corpus shall not be suspended unless in cases of rebellion or invasion. The writ of	1	9	2	14
Heads of Departments. Congress may, by law, vest the appointment of inferior officers in the	2	2	2	22
On any subject relating to their duties, the President may require the written opinion of the principal officers in each of the Executive Departments	2	2	1	21
High crimes and misdemeanors. The President, Vice-President, and all civil officers shall be removed on impeachment for and conviction of treason, bribery, or other	2	4	-	23

	Art.	Sec.	Cl.	Page.
House of Representatives. Congress shall consist of a Senate and	1	1	–	2
Shall be composed of members chosen every second year	1	2	1	2
Qualifications of electors for members of the	1	2	1	2
No person shall be a member who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States	1	2	2	3
The executive of the several States shall issue writs of election to fill vacancies in the	1	2	4	3
Shall choose their Speaker and other officers	1	2	5	3
Shall have the sole power of impeachment	1	2	5	3
Shall be the judge of the elections, returns, and qualifications of its own members	1	5	1	5
A majority shall constitute a quorum to do business	1	5	1	5
Less than a majority may adjourn from day to day, and compel the attendance of absent members	1	5	1	5
May determine its own rule of proceedings	1	5	2	5
May punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member	1	5	2	5
Shall keep a journal of its proceedings	1	5	3	5
Shall not adjourn for more than three days during the session of Congress without the consent of the Senate	1	5	4	6
Members shall not be questioned for any speech or debate in either House or any other place	1	6	1	6
No person holding any office under the United States shall, while holding such office, be a member of the	1	6	2	6
No person, while a member of either House, shall be appointed to an office which shall have been created or the emoluments increased during his membership	1	6	2	6
All bills for raising revenue shall originate in the	1	7	1	6
The vote for President and Vice-President shall be counted in the presence of the Senate and. [Amendments]	12	–	–	39
If no person have a majority of electoral votes, then from the three highest on the list the House of Representatives shall immediately, by ballot, choose a President. [Amendments]	12	–	–	39
They shall vote by States, each State counting one vote. [Amendments]	12	–	–	39

	Art.	Sec.	Cl.	Page.
House of Representatives. A quorum shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to the choice of a President. [Amendments]	12	-	-	40
No person having as a legislative, executive, or judicial officer of the United States, or of any State, taken an oath to support the Constitution, and afterwards engaged in insurrection or rebellion against the United States, shall be a member of the. [Amendments]	14	3	-	46
But Congress may, by a vote of two-thirds of each House, remove such disability. [Amendments]	14	3	-	46
I.				
Imminent danger as will not admit of delay. No State shall, without the consent of Congress, engage in war, unless actually invaded or in such	1	10	3	19
Immunities. Members of Congress shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses and in going and returning from the same	1	6	1	6
No soldier shall be quartered in any house without the consent of the owner in time of peace. [Amendments]	3	-	-	34
No person shall be twice put in jeopardy of life and limb for the same offense. [Amendments]	5	-	-	34
All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State in which they reside. [Amendments]	14	1	-	41
No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. [Amendments]	14	1	-	41
Nor shall any State deprive any person of life, liberty, or property without due process of law. [Amendments]	14	1	-	41
Nor deny to any person within its jurisdiction the equal protection of the laws. [Amendments]	14	1	-	41
Impeachment. The President may grant reprieves and pardons except in cases of	2	2	1	21

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Impeachment. The House of Representatives shall have the sole power of	1	2	5	3
The trial of all crimes shall be by jury except in cases of	3	2	3	26
Impeachment for and conviction of treason, bribery, and other high crimes and misdemeanors. The President, Vice-President, and all civil officers shall be removed upon	2	4	–	23
Impeachments. The Senate shall have the sole power to try all	1	3	6	4
The Senate shall be on oath, or affirmation, when sitting for the trial of	1	3	6	4
When the President of the United States is tried the Chief Justice shall preside	1	3	6	4
No person shall be convicted without the concurrence of two-thirds of the members present	1	3	6	4
Judgment shall not extend beyond the removal from office and disqualification to hold office	1	3	7	4
But the party convicted shall be liable to indictment and punishment according to law	1	3	7	5
Importation of slaves prior to 1808 shall not be prohibited by the Congress	1	9	1	13
But a tax or duty of ten dollars for each person may be imposed on such	1	9	1	13
Imports or exports except what may be absolutely necessary for executing its inspection laws. No State shall, without the consent of Congress, lay any imposts or duties on	1	10	2	18
Imports or exports laid by any State shall be for the use of the Treasury. The net produce of all duties on	1	10	2	18
Imports or exports shall be subject to the revision and control of Congress. All laws of States laying duties on	1	10	2	18
Imposts and excises. Congress shall have power to lay and collect taxes, duties	1	8	1	7
Shall be uniform throughout the United States. All taxes, duties	1	8	1	7
Inability of the President, the powers and duties of his office shall devolve on the Vice-President. In case of the death, resignation, or	2	1	5	20
Inability of the President or Vice-President: Congress may provide by law for the case of the removal, death, resignation, or	2	1	5	20

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Indian tribes. Congress shall have power to regulate commerce with the	1	8	3	8
Indictment or presentment of a grand jury. No person shall be held to answer for a capital or infamous crime unless on. [Amendments]	5	–	–	34
Indictment. Except in cases arising in the land and naval and in the militia when in actual service. [Amendments]	5	–	–	34
Indictment, trial, judgment, and punishment, according to law. The party convicted in case of impeachment shall nevertheless be liable and subject to	1	3	7	5
Infamous crime unless on presentment or indictment of a grand jury. No person shall be held to answer for a capital or. [Amendments]	5	–	–	34
Inferior courts. Congress shall have power to constitute tribunals inférior to the Supreme Court	1	8	9	12
Inferior courts as Congress may establish. The judicial power of the United States shall be vested in one Supreme Court and such	3	1	–	23
The judges of both the Supreme and inferior courts shall hold their offices during good behavior	3	1	–	23
Their compensation shall not be diminished during their continuance in office	3	1	–	23
Inferior officers in the courts of law, in the President alone, or in the heads of Departments. Congress, if they think proper, may by law vest the appointment of	2	2	2	22
Inhabitant of the State for which he shall be chosen. No person shall be a Senator who shall not have attained the age of thirty years, been nine years a citizen of the United States, and who shall not, when elected, be an	1	3	3	4
Insurrection or rebellion against the United States. No person shall be a Senator or Representative in Congress, or Presidential elector, or hold any office, civil or military, under the United States, or any State, who, having taken an oath as a legislative, executive, or judicial officer of the United States, or of a State, afterwards engaged in. [Amendments]	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such disabilities. [Amendments]	14	3	–	46
Debts declared illegal and void which were contracted in aid of. [Amendments]	14	4	–	46

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Insurrections and repel invasions. Congress shall provide for calling forth the militia to suppress	1	8	15	12
Invasion. No State shall, without the consent of Congress, engage in war unless actually invaded, or in such imminent danger as will not admit of delay	1	10	3	19
Invasion. The writ of habeas corpus shall not be suspended unless in case of rebellion or	1	9	2	14
Invasion and domestic violence. The United States shall protect each State against	4	4	-	29
Invasions. Congress shall provide for calling forth the militia to suppress insurrections and repel	1	8	15	11
Inventors and authors in their inventions and writings. Congress may pass laws to secure for limited times exclusive rights to	1	8	8	11
Involuntary servitude, except as a punishment for crime, abolished in the United States. Slavery and. [Amendments]	13	1	-	40
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Jeopardy of life and limb for the same offense. No person shall be twice put in. [Amendments]	5	-	-	34
Journal of its proceedings. Each House shall keep a	1	5	3	5
Judges in every State shall be bound by the Constitution, the laws and treaties of the United States, which shall be the supreme law of the land	6	-	2	30
Judges of the Supreme and inferior courts shall hold their offices during good behavior	3	1	-	23
Their compensation shall not be diminished during their continuance in office	3	1	-	23
Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold any office of honor, trust, or profit under the United States	1	3	7	4
But the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and punishment according to law	1	3	7	5
Judicial power of the United States. Congress shall have power to constitute tribunals inferior to the Supreme Court	1	8	9	12
The judicial power of the United States shall be vested in one Supreme Court and in such inferior courts as Congress may from time to time ordain and establish	3	1	-	23

	Art.	Sec.	Cl.	Page.
Judicial power of the United States. The judges of the Supreme and inferior courts shall hold their offices during good behavior	3	1	–	23
Their compensation shall not be diminished during their continuance in office	3	1	–	23
It shall extend to all cases in law and equity arising under the Constitution, laws, and treaties of the United States	3	2	1	23
To all cases affecting ambassadors, other public ministers, and consuls	3	2	1	23
To all cases of admiralty and maritime jurisdiction	3	2	1	23
To controversies to which the United States shall be a party	3	2	1	23
To controversies between two or more States	3	2	1	23
To controversies between a State and citizens of another State	3	2	1	23
To controversies between citizens of different States	3	2	1	23
To citizens of the same State claiming lands under grants of different States	3	2	1	23
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In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction	3	2	2	26
In all other cases before mentioned it shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as Congress shall make	3	2	2	26
The trial of all crimes, except in cases of impeachment, shall be by jury	3	2	3	26
The trial shall be held in the State where the crimes shall have been committed	3	2	3	26
But when not committed in a State, the trial shall be at such place or places as Congress may by law have directed	3	2	3	26
The judicial power of the United States shall not be held to extend to any suit in law or equity commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state. [Amendments]	11	–	–	38

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Judicial proceedings of every other State. Full faith and credit shall be given in each State to the acts, records, and	4	1	–	27
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Judiciary. The Supreme Court shall have original jurisdiction in all cases affecting ambassadors, other public ministers and consuls, and those in which a State may be a party	3	2	2	26
The Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions and regulations as Congress may make	3	2	2	26
Junction of two or more States or parts of States without the consent of the legislatures and of Congress. No State shall be formed by the	4	3	1	29
Jurisdiction of another State. No new State shall, without the consent of Congress, be formed or erected within the	4	3	1	29
Jurisdiction, both as to law and fact, with such exceptions and under such regulations as Congress may make. The Supreme Court shall have appellate	3	2	2	26
In all cases affecting ambassadors, and other public ministers and consuls, and in cases where a State is a party, the Supreme Court shall have original	3	2	2	26
Jury. The trial of all crimes, except in cases of impeachment, shall be by	3	2	3	26
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Just compensation. Private property shall not be taken for public use without. [Amendments]	5	–	–	34
Justice, insure domestic tranquillity, etc. To establish. [Preamble]	–	–	–	1

L.

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Labor, in one State, escaping into another State, shall be delivered up to the party to whom such service or labor may be due. Fugitives from service or.....	4	2	3	28
Land and naval forces. Congress shall make rules for the government and regulation of the	1	8	14	12
Law and fact, with exceptions and under regulations to be made by Congress. The Supreme Court shall have appellate jurisdiction as to.....	3	2	2	26
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Laws necessary to carry into execution the powers vested in the Government, or in any department or officer of the United States. Congress shall make all....	1	8	18	13
Legal tender in payment of debts. No State shall make anything but gold and silver coin a.....	1	10	1	15
Legislation in all cases over such district as may become the seat of the Government. Congress shall exercise exclusive	1	8	17	12
Over all places purchased for the erection of forts, magazines, arsenals, dockyards, and other needful buildings, Congress shall exercise exclusive.....	1	8	17	13
Legislation. Congress shall have power to make all laws necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States, or in any department or officer thereof	1	8	18	13
Congress shall have power to enforce the thirteenth amendment by appropriate. [Amendments]....	13	2	–	40
Congress shall have power to enforce the fourteenth amendment by appropriate. [Amendments]....	14	5	–	46

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Legislation. Congress shall have power to enforce the fifteenth amendment by appropriate. [Amendments]	15	2	-	47
Legislative powers herein granted shall be vested in Congress. All	1	1	-	2
Legislature, or the executive (when the legislature can not be convened). The United States shall protect each State against invasion and domestic violence, on the application of the	4	4	-	29
Legislatures of two-thirds of the States, Congress shall call a convention for proposing amendments to the Constitution. On the application of the	5	-	-	30
Letters of marque and reprisal. Congress shall have power to grant	1	8	11	12
No State shall grant	1	10	1	15
Liberty to ourselves and our posterity, etc. To secure the blessings of. [Preamble]	-	-	-	1
Life, liberty, and property without due process of law. No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of. [Amendments]	5	-	-	34
No State shall abridge the privileges or immunities of citizens of the United States, nor deprive any person of. [Amendments]	14	1	-	41
Life or limb for the same offense. No person shall be twice put in jeopardy of. [Amendments]	5	-	-	34
Loss or emancipation of any slave shall be held illegal and void. [Amendments]	14	4	-	46
M.				
Magazines, arsenals, dockyards, and other needful buildings. Congress shall have exclusive authority over all places purchased for the erection of	1	8	17	13
Majority of each House shall constitute a quorum to do business. A	1	5	1	5
But a smaller number may adjourn from day to day and may be authorized to compel the attendance of absent members	1	5	1	5
Majority of all the States shall be necessary to a choice. When the choice of a President shall devolve on the House of Representatives, a quorum shall consist of a member or members from two-thirds of the States; but a. [Amendments]	12	-	-	39

	Art.	Sec.	Cl.	Page.
Majority. When the choice of a Vice-President shall devolve on the Senate, a quorum shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. [Amendments]	12	–	–	40
Maritime jurisdiction. The judicial power shall extend to all cases of admiralty and	3	2	1	23
Marque and reprisal. Congress shall have power to grant letters of	1	8	11	12
No State shall grant any letters of	1	10	1	15
Maryland entitled to six Representatives in the first Congress	1	2	3	3
Massachusetts entitled to eight Representatives in the first Congress	1	2	3	3
Measures. Congress shall fix the standard of weights and	1	8	5	11
Meeting of Congress. The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day	1	4	2	5
Members of Congress and of State legislatures shall be bound by oath or affirmation to support the Constitution	6	–	3	31
Militia to execute the laws, suppress insurrections, and repel invasions. Congress shall provide for calling forth the	1	8	15	12
Congress shall provide for organizing, arming, and disciplining the	1	8	16	12
Congress shall provide for governing such part of them as may be employed by the United States	1	8	16	12
Reserving to the States the appointment of the officers and the right to train the militia according to the discipline prescribed by Congress	1	8	16	12
A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed. [Amendments]	2	–	–	33
Misdemeanors. The President, Vice-President, and all civil officers shall be removed on impeachment for and conviction of treason, bribery, or other high crimes and	2	4	–	23
Money on the credit of the United States. Congress shall have power to borrow	1	8	2	8
Regulate the value thereof and of foreign coin. Congress shall have power to coin	1	8	5	11

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Money shall be drawn from the Treasury but in consequence of appropriation made by law. No	1	9	7	15
Shall be published from time to time. A regular statement and account of receipts and expenditures of public	1	9	7	15
For raising and supporting armies. No appropriation of money shall be for a longer term than two years	1	8	12	12
N.				
Nations. Congress shall have power to regulate commerce with foreign	1	8	3	8
Congress shall provide for punishing offenses against the law of	1	8	10	12
Natural-born citizens, or a citizen at the adoption of the Constitution, shall be eligible to the office of President. No person except a	2	1	4	20
Naturalization. Congress shall have power to establish a uniform rule of	1	8	4	11
Naturalized in the United States, and subject to their jurisdiction, shall be citizens of the United States and of the States in which they reside. All persons born, or. [Amendments]	14	1	-	41
Naval forces. Congress shall make rules and regulations for the government and regulation of the land and.	1	8	14	12
Navy. Congress shall have power to provide and maintain a	1	8	13	12
New Hampshire entitled to three Representatives in the first Congress	1	2	3	3
New Jersey entitled to four Representatives in the first Congress	1	2	3	3
New States may be admitted by Congress into this Union; But no new State shall be formed within the jurisdiction of another State without the consent of Congress	4	3	1	29
Nor shall any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures and of Congress	4	3	1	29
New York entitled to six Representatives in the first Congress	1	2	3	3
Nobility shall be granted by the United States. No title of	1	9	8	15
No State shall grant any title of	1	10	1	15

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Nominations for office by the President. The President shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors and other public officers	2	2	2	21
He may grant commissions to fill vacancies that happen in the recess of the Senate, which shall expire at the end of their next session	2	2	3	22
North Carolina entitled to five Representatives in the first Congress	1	2	3	3
Number of electors for President and Vice-President in each State shall be equal to the number of Senators and Representatives to which such State may be entitled in Congress	2	1	2	19
O.				
Oath of office of the President of the United States. Form of the	2	1	7	21
Oath or affirmation. No warrants shall be issued but upon probable cause, supported by. [Amendments]	4	–	–	34
Oath or affirmation to support the Constitution. Senators and Representatives, members of State legislatures, executive and judicial officers of the United States and of the several States, shall be bound by	6	–	3	31
But no religious test shall ever be required as a qualification for office	6	–	3	31
The Senators when sitting to try impeachment shall be on	1	3	6	4
Objections. If he shall not approve it, the President shall return the bill to the House in which it originated with his	1	7	2	6
Obligation of contracts. No State shall pass any *ex post facto* law, or law impairing the	1	10	1	15
Obligations incurred in aid of insurrection or rebellion against the United States to be held illegal and void. All debts or. [Amendments]	14	4	–	46
Offense. No person shall be twice put in jeopardy of life or limb for the same. [Amendments]	5	–	–	34
Offenses against the law of nations. Congress shall provide for punishing	1	8	10	12
Offenses against the United States, except in cases of impeachment. The President may grant reprieves or pardons for	2	2	1	21

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Office under the United States. No person shall be a member of either House while holding any civil..	1	6	2	6
No Senator or Representative shall be appointed to any office under the United States which shall have been created, or its emoluments increased, during the term for which he is elected.....	1	6	2	6
Or title of any kind from any king, prince, or foreign State, without the consent of Congress. No person holding any office under the United States shall accept of any present, emolument.....	1	9	8	15
Office of President, in case of his removal, death, resignation, or inability, shall devolve on the Vice-President. The powers and duties of the.....	2	1	5	20
During the term of four years. The President and Vice-President shall hold	2	1	1	19
Of trust or profit under the United States shall be an elector for President and Vice-President. No person holding an	2	1	2	20
Office, civil or military under the United States, or any State, who has taken an oath as a legislative, executive, or judicial officer of the United States, or of any State, and afterwards engaged in insurrection or rebellion. No person shall be a Senator, Representative, or Presidential elector, or hold any. [Amendments].....	14	3	–	46
Officers in the President alone, in the courts of law, or in the heads of departments. Congress may vest the appointment of inferior.....	2	2	2	22
Officers of the United States shall be removed on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors. The President, Vice-President, and all civil	2	4	–	22
The House of Representatives shall choose their Speaker and other.....	1	2	5	3
The Senate, in the absence of the Vice-President, shall choose a President *pro tempore*, and also their other	1	3	5	4
Offices becoming vacant in the recess of the Senate may be filled by the President, the commissions to expire at the end of the next session.....	2	2	3	22
One-fifth of the members present, be entered on the journal of each House. The yeas and nays shall, at the desire of	1	5	3	5

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Opinion of the principal offices in each of the Executive Departments on any subject relating to their duties. The President may require the written	2	2	1	21
Order, resolution, or vote (except on a question of adjournment), requiring the concurrence of the two Houses, shall be presented to the President. Every	1	7	3	7
Original jurisdiction in all cases affecting ambassadors, other public ministers, and consuls, and in which a State may be a party. The Supreme Court shall have	3	2	2	26
Overt act, or on confession in open court. Conviction of treason shall be on the testimony of two witnesses to the	3	3	1	27
P.				
Pardons, except in cases of impeachment. The President may grant reprieves and	2	2	1	21
Patent rights to inventors. Congress may pass laws for securing	1	8	8	11
Peace. Members of Congress shall not be privileged from arrest for treason, felony, and breach of the	1	6	1	6
No State shall, without the consent of Congress, keep troops or ships of war in time of	1	10	3	19
No soldier shall be quartered in any house without the consent of the owner in time of. [Amendments]	3	–	–	34
Pensions and bounties shall not be questioned. The validity of the public debt incurred in suppressing insurrection and rebellion against the United States, including the debt for. [Amendments]	14	4	–	46
Pennsylvania entitled to eight Representatives in the first Congress	1	2	3	3
People, peaceably to assemble and petition for redress of grievances shall not be abridged by Congress. The right of the. [Amendments]	1	–	–	33
To keep and bear arms shall not be infringed. A well-regulated militia being necessary to the security of a free State, the right of the. [Amendments]	2	–	–	33
To be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated. The right of the. [Amendments]	4	–	–	34

	Art.	Sec.	Cl.	Page.
People. The enumeration of certain rights in the Constitution shall not be held to deny or disparage others retained by the. [Amendments]	9	–	–	37
Powers not delegated to the United States, nor prohibited to the States, are reserved to the States or to the. [Amendments]	10	–	–	37
Perfect Union, &c. To establish a more. [Preamble]	–	–	–	1
Persons, houses, papers, and effects against unreasonable searches and seizures. The people shall be secure in their. [Amendments]	4	–	–	34
Persons as any State may think proper to admit, shall not be prohibited prior to 1808. The migration or importation of such	1	9	1	13
But a tax or duty of ten dollars shall be imposed on the importation of each of such	1	9	1	13
Petition for the redress of grievances. Congress shall make no law abridging the right of the people peaceably to assemble and to. [Amendments]	1	–	–	33
Piracies and felonies committed on the high seas. Congress shall define and punish	1	8	10	12
Place than that in which the two Houses shall be sitting. Neither House during the session shall, without the consent of the other, adjourn for more than three days, nor to any other	1	5	4	6
Places of choosing Senators. Congress may by law make or alter regulations for the election of Senators and Representatives, except as to the	1	4	1	5
Ports of one State over those of another. Preference shall not be given by any regulation of commerce or revenue to the	1	9	6	14
Ports. Vessels clearing from the ports of one State shall not pay duties in another	1	9	6	14
Post-offices and post-roads. Congress shall establish	1	8	7	11
Powers herein granted shall be vested in Congress. All legislative	1	1	–	2
Powers vested by the Constitution in the Government or in any department or officer of the United States. Congress shall make all laws necessary to carry into execution the	1	8	18	13
Powers and duties of the office shall devolve on the Vice-President, on the removal, death, resignation, or inability of the President. The	2	1	5	20

	Art.	Sec.	Cl.	Page.
Powers not delegated to the United States nor prohibited to the States are reserved to the States and to the people. [Amendments]	10	–	–	37
The enumeration of certain rights in this Constitution shall not be held to deny or disparage others retained by the people. [Amendments]	9	–	–	37
Preference, by any regulation of commerce or revenue, shall not be given to the ports of one State over those of another	1	9	6	14
Prejudice any claims of the United States or of any particular State in the territory or property of the United States. Nothing in this Constitution shall.	4	3	2	29
Present, emolument, office, or title of any kind whatever from any king, prince, or foreign State. No person holding any office under the United States shall, without the consent of Congress, accept any	1	9	8	15
Presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service. No person shall be held to answer for a capital or otherwise infamous crime unless on a. [Amendments]	5	–	–	34
President of the United States. The Senate shall choose a President *pro tempore* when the Vice-President shall exercise the office of	1	3	5	4
The Chief Justice shall preside upon the trial of the.	1	3	6	4
Shall approve and sign all bills passed by Congress before they shall become laws	1	7	2	6
Shall return to the House in which it originated, with his objections, any bill which he shall not approve	1	7	2	6
If not returned within ten days (Sundays excepted), it shall become a law, unless Congress shall adjourn before the expiration of that time	1	7	2	7
Every order, resolution, or vote which requires the concurrence of both Houses, except on the question of adjournment, shall be presented to the	1	7	3	7
If disapproved by him, shall be returned and proceeded on as in the case of a bill	1	7	3	7
The executive power shall be vested in a	2	1	1	19
He shall hold his office during the term of four years.	2	1	1	19

	Art.	Sec.	Cl.	Page.
President of the United States. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the duties of his office the Vice-President shall perform the duties of	2	1	5	20
Congress may declare, by law, in the case of the removal, death, resignation, or inability of the President, what officer shall act as	2	1	5	20
The President shall receive a compensation which shall not be increased nor diminished during his term, nor shall he receive any other emolument from the United States	2	1	6	21
Before he enters upon the execution of his office he shall take an oath of office	2	1	7	21
Shall be Commander in Chief of the Army and Navy and of the militia of the States when called into actual service	2	2	1	21
He may require the opinion, in writing, of the principal officer in each of the Executive Departments..	2	2	1	21
He may grant reprieves or pardons for offenses, except in cases of impeachment	2	2	1	21
He may make treaties, by and with the advice and consent of the Senate, two-thirds of the Senators present concurring	2	2	2	21
He may appoint, by and with the advice and consent of the Senate, ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers whose appointments may be authorized by law and not herein provided for	2	2	2	21
Congress may vest the appointment of inferior officers in the	2	2	2	22
He may fill up all vacancies that may happen in the recess of the Senate by commissions which shall expire at the end of their next session	2	2	3	22
He shall give information to Congress of the state of the Union, and recommend measures	2	3	-	22
On extraordinary occasions he may convene both Houses or either House of Congress	2	3	-	22
In case of disagreement between the two Houses as to the time of adjournment, he may adjourn them to such time as he may think proper	2	3	-	22
He shall receive ambassadors and other public ministers	2	3	-	22

	Art.	Sec.	Cl.	Page.
President of the United States. He shall take care that the laws be faithfully executed	2	3	–	22
He shall commission all the officers of the United States	2	3	–	22
On impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors, shall be removed from office. The	2	4	–	22
No person except a natural-born citizen, or a citizen of the United States at the adoption of the Constitution, shall be eligible to the office of	2	1	4	20
No person who shall not have attained the age of thirty-five years and been fourteen years a citizen of the United States shall be eligible to the office of	2	1	4	20
President and Vice-President. Manner of choosing. Each State, by its legislature, shall appoint a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress	2	1	2	19
No Senator or Representative or person holding an office of trust or profit under the United States shall be an elector	2	1	2	20
Congress may determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States	2	1	3	20
The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. [Amendments]	12	–	–	39
They shall name in distinct ballots the person voted for as President and the person voted for as Vice-President. [Amendments]	12	–	–	39
They shall make distinct lists of the persons voted for as President and as Vice-President, which they shall sign and certify and transmit sealed to the President of the Senate at the seat of government. [Amendments]	12	–	–	39
The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. [Amendments]	12	–	–	39

	Art.	Sec.	Cl.	Page.
President and Vice-President. Manner of choosing. The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed. [Amendments]	12	–	–	39
If no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. [Amendments]	12	–	–	39
In choosing the President, the votes shall be taken by States, the representation from each State having one vote. [Amendments]	12	–	–	39
A quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. [Amendments]	12	–	–	39
But if no choice shall be made before the 4th of March next following, then the Vice-President shall act as President, as in the case of the death or disability of the President. [Amendments]	12	–	–	39
President of the Senate, but shall have no vote unless the Senate be equally divided. The Vice-President shall be	1	3	4	4
President pro tempore. In the absence of the Vice-President the Senate shall choose a	1	3	5	4
When the Vice-President shall exercise the office of President of the United States, the Senate shall choose a	1	3	5	4
Press. Congress shall pass no law abridging the freedom of speech or of the. [Amendments]	1	–	–	33
Previous condition of servitude. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any State, on account of race, color, or. [Amendments]	15	1	–	47
Private property shall not be taken for public use without just compensation. [Amendments]	5	–	–	34
Privilege. Senators and Representatives shall, in all cases except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same	1	6	1	6

	Art.	Sec.	Cl.	Page.
Privilege. They shall not be questioned for any speech or debate in either House in any other place	1	6	1	6
Privileges and immunities of citizens of the United States. The citizens of each State shall be entitled to all the privileges and immunities of the citizens of the several States	4	2	1	28
No soldier shall be quartered in any house without the consent of the owner in time of peace. [Amendments]	3	-	-	34
No person shall be twice put in jeopardy of life and limb for the same offense. [Amendments]	5	-	-	34
All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State in which they reside. [Amendments]	14	1	-	41
No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. [Amendments]	14	1	-	41
No State shall deprive any person of life, liberty, or property without due process of law. [Amendments]	14	1	-	41
Nor deny to any person within its jurisdiction the equal protection of its laws. [Amendments]	14	1	-	41
Prizes captured on land or water. Congress shall make rules concerning	1	8	11	12
Probable cause. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue for such but upon. [Amendments]	4	-	-	34
Process for obtaining witnesses in his favor. In all criminal prosecutions the accused shall have. [Amendments]	6	-	-	36
Process of law. No person shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due. [Amendments]	5	-	-	34
No State shall deprive any person of life, liberty, or property without due. [Amendments]	14	1	-	41
Progress of science and useful arts. Congress shall have power to promote the	1	8	8	11

	Art.	Sec.	Cl.	Page.
Property of the United States. Congress may dispose of and make all needful rules and regulations respecting the territory or	4	3	2	29
Property without due process of law. No person shall be compelled in any criminal case to be a witness against himself, nor shall he be deprived of his life, liberty, or. [Amendments]	5	–	–	34
No State shall abridge the privileges or immunities of citizens of the United States, nor deprive any person of his life, liberty, or. [Amendments]	14	1	–	41
Prosecutions. The accused shall have a speedy and public trial in all criminal. [Amendments]	6	–	–	36
He shall be tried by a jury in the State or district where the crime was committed. [Amendments].	6	–	–	36
He shall be informed of the nature and cause of the accusation. [Amendments]	6	–	–	36
He shall be confronted with the witnesses against him. [Amendments]	6	–	–	36
He shall have compulsory process for obtaining witnesses. [Amendments]	6	–	–	36
He shall have counsel for his defense. [Amendments]	6	–	–	36
Protection of the laws. No State shall deny to any person within its jurisdiction the equal. [Amendments].	14	1	–	41
Public debt of the United States incurred in suppressing insurrection or rebellion shall not be questioned. The validity of the. [Amendments]	14	4	–	46
Public safety may require it. The writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the	1	9	2	14
Public trial by jury. In all criminal prosecutions the accused shall have a speedy and. [Amendments].	6	–	–	36
Public use. Private property shall not be taken for, without just compensation. [Amendments]	5	–	–	34
Punishment according to law. Judgment in cases of impeachment shall not extend further than to removal from, and disqualification for, office; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment, and	1	3	7	4
Punishments inflicted. Excessive bail shall not be required nor excessive fines imposed nor cruel and unusual. [Amendments]	8	–	–	37

	Art.	Sec.	Cl.	Page.
Qualification for office. No religious test shall ever be required as a	6	-	3	31
Qualifications of electors of members of the House of Representatives shall be the same as electors for the most numerous branch of the State legislature	1	2	1	2
Qualifications of members of the House of Representatives. They shall be twenty-five years of age, seven years a citizen of the United States, and an inhabitant of the State in which chosen	1	2	2	3
Of Senators. They shall be thirty years of age, nine years a citizen of the United States, and an inhabitant of the State in which chosen	1	3	3	3
Of its own members. Each House shall be the judge of the election, returns, and	1	5	1	5
Of the President. No person except a natural-born citizen, or a citizen of the United States at the time of the adoption of the Constitution, shall be eligible to the office of President	2	1	4	20
Neither shall any person be eligible to the office of President who shall not have attained the age of thirty-five years and been fourteen years a resident within the United States	2	1	4	20
Of the Vice-President. No person constitutionally ineligible to the office of President shall be eligible to that of Vice-President. [Amendments]	12	-	-	40
Quartered in any house without the consent of the owner in time of peace. No soldier shall be. [Amendments]	3	-	-	34
Quorum to do business. A majority of each House shall constitute a	1	5	1	5
But a smaller number than a quorum may adjourn from day to day and may be authorized to compel the attendance of absent members	1	5	1	5
Of the House of Representatives for choosing a President shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. [Amendments]	12	-	-	39
Quorum to elect a Vice-President by the Senate. Two-thirds of the whole number of Senators shall be a. [Amendments]	12	-	-	40
A majority of the whole number shall be necessary to a choice. [Amendments]	12	-	-	40

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	Art.	Sec.	Cl.	Page.
Race, color, or previous condition of servitude. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of. [Amendments]	15	1	-	47
Ratification of amendments to the Constitution shall be by the legislatures of three-fourths of the several States or by conventions in three-fourths of the States, accordingly as Congress may propose	5	-	-	30
Ratification of the conventions of nine States shall be sufficient to establish the Constitution between the States so ratifying the same	7	-	-	31
Ratio of representation until the first enumeration under the Constitution shall be made not to exceed one for every thirty thousand	1	2	3	3
Ratio of representation shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, including Indians not taxed. [Amendments]	14	2	-	45
Ratio. But when the right to vote for Presidential electors or members of Congress, or the legislative, executive, and judicial officers of the State, except for engaging in rebellion or other crime, shall be denied or abridged by a State, the basis of representation shall be reduced therein in the proportion of such denial or abridgment of the right to vote. [Amendments]	14	2	-	45
Rebellion against the United States. Persons who, while holding certain Federal and State offices, took an oath to support the Constitution, afterwards engaged in insurrection or rebellion, disabled from holding office under the United States. [Amendments]	14	3	-	46
But Congress may by a vote of two-thirds of each House remove such disability. [Amendments]	14	3	-	46
Rebellion against the United States. Debts incurred for pensions and bounties for services in suppressing the rebellion shall not be questioned. [Amendments]	14	4	-	46
All debts and obligations incurred in aid of the rebellion, and all claims for the loss or emancipation of slaves, declared and held to be illegal and void. [Amendments]	14	4	-	46

	Art.	Sec.	Cl.	Page.
Rebellion or invasion. The writ of *habeas corpus* shall not be suspended except when the public safety may require it in cases of	1	9	2	14
Receipts and expenditures of all public money shall be published from time to time. A regular statement of	1	9	7	15
Recess of the Senate. The President may grant commissions, which shall expire at the end of the next session, to fill vacancies that may happen during the	2	2	3	22
Reconsideration of a bill returned by the President with his objections. Proceedings to be had upon the	1	7	2	6
Records, and judicial proceedings of every other State. Full faith and credit shall be given in each State to the acts	4	1	-	27
Congress shall prescribe the manner of proving such acts, records, and proceedings	4	1	-	27
Redress of grievances. Congress shall make no law abridging the right of the people peaceably to assemble and to petition for the. [Amendments]	1	-	-	33
Regulations, except as to the places of choosing Senators. The time, places, and manner of holding elections for Senators and Representatives shall be prescribed by the legislatures of the States, but Congress may at any time by law make or alter such	1	4	1	5
Regulations of commerce or revenue. Preference to the ports of one State over those of another shall not be given by any	1	9	6	14
Religion or prohibiting the free exercise thereof. Congress shall make no law respecting the establishment of. [Amendments]	1	-	-	33
Religious test shall ever be required as a qualification for any office or public trust under the United States. No	6	-	3	31
Removal of the President from office, the same shall devolve on the Vice-President. In case of the	2	1	5	20
Representation. No State, without its consent, shall be deprived of its equal suffrage in the Senate	5	-	-	30
Representation and direct taxation, how apportioned among the several States. [This provision is changed by the 14th amendment, section 2, on page 45]	1	2	3	3
Representation until the first enumeration under the Constitution not to exceed one for every thirty thousand. The ratio of	1	2	3	3

	Art.	Sec.	Cl.	Page.
Representation in any State. The executive thereof shall issue writs of election to fill vacancies in the.....	1	2	4	3
Representation among the several States shall be according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. The ratio of. [Amendments]	14	2	–	45
But where the right to vote in certain Federal and State elections is abridged for any cause other than rebellion or other crime, the basis of representation shall be reduced. [Amendments].....	14	2	–	45
Representatives. Congress shall consist of a Senate and House of.....	1	1	–	2
Qualifications of electors of members of the House of.	1	2	1	2
No person shall be a Representative who shall not have attained the age of twenty-five years, been seven years a citizen of the United States, and an inhabitant of the State in which he shall be chosen.....	1	2	2	3
And direct taxes, how apportioned among the several States. [Amended by 14th amendment, section 2, on page 45]	1	2	3	3
Shall choose their Speaker and other officers. The House of.....	1	2	5	3
Shall have the sole power of impeachment. The House of.....	1	2	5	3
Executives of the States shall issue writs of election to fill vacancies in the House of.....	1	2	4	3
The times, places, and manner of choosing Representatives shall be prescribed by the legislatures of the States.....	1	4	1	5
But Congress may at any time by law make or alter such regulations except as to the places of choosing Senators	1	4	1	5
And Senators shall receive a compensation to be ascertained by law.....	1	6	1	6
Shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during attendance at the session of the House, and in going to and returning from the same.....	1	6	1	6
Shall not be questioned in any other place for any speech or debate. Members of the House of.....	1	6	1	6

	Art.	Sec.	Cl.	Page.
Representatives. No member shall be appointed during his term to any civil office which shall have been created, or the emoluments of which shall have been increased, during such term	1	6	2	6
No person holding any office under the United States shall, while holding such office, be a member of the House of	1	6	2	6
All bills for raising revenue shall originate in the House of	1	7	1	6
No Senator or Representative shall be an elector for President or Vice-President	2	1	2	19
Representatives shall be bound by an oath or affirmation to support the Constitution of the United States. The Senators and	6	–	3	31
Representatives among the several States. Provisions relative to the apportionment of. [Amendments]	14	2	–	45
Representatives and Senators. Prescribing certain disqualifications for office as. [Amendments]	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such disqualification. [Amendments]	14	3	–	46
Reprieves and pardons except in cases of impeachment. The President may grant	2	2	1	21
Reprisal. Congress shall have power to grant letters of marque and	1	8	11	12
No State shall grant any letters of marque and	1	10	1	15
Republican form of government. The United States shall guarantee to every State in this Union a	4	4	–	29
And shall protect each of them against invasion; and on the application of the legislature, or of the executive (when the legislature can not be convened), against domestic violence	4	4	–	29
Reserved rights of the States and the people. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people. [Amendments]	9	–	–	37
The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. [Amendments]	10	–	–	37
Resignation, or inability of the President, the duties and powers of his office shall devolve on the Vice-President. In case of the death	2	1	5	20

	Art.	Sec.	Cl.	Page.
Resignation, or inability of the President. Congress may by law provide for the case of the removal, death.	2	1	5	20
Resolution, or vote (except on a question of adjournment) requiring the concurrence of the two Houses shall, before it becomes a law, be presented to the President. Every order	1	7	3	7
Revenue shall originate in the House of Representatives. All bills for raising	1	7	1	6
Revenue. Preference shall not be given to the ports of one State over those of another by any regulations of commerce or	1	9	6	14
Rhode Island entitled to one Representative in the First Congress	1	2	3	3
Right of petition. Congress shall make no law abridging the right of the people peaceably to assemble and to petition for the redress of grievances.	1	9	6	14
[Amendments]	1	–	–	33
Right to keep and bear arms. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed. [Amendments]	2	–	–	33
Rights in the Constitution shall not be construed to deny or disparage others retained by the people. The enumeration of certain. [Amendments]	9	–	–	37
Rights not delegated to the United States nor prohibited to the States are reserved to the States or to the people. [Amendments]	10	–	–	37
Rules of its proceedings. Each House may determine the.	1	5	2	5
Rules and regulations respecting the territory or other property of the United States. Congress shall dispose of and make all needful	4	3	2	29
Rules of the common law. All suits involving over twenty dollars shall be tried by jury according to the. [Amendments]	7	–	–	36
No fact tried by a jury shall be reexamined except according to the. [Amendments]	7	–	–	36
Science and the useful arts by securing to authors and inventors the exclusive right to their writings and discoveries. Congress shall have power to promote the progress of	1	8	8	11
Searches and seizures shall not be violated. The right of the people to be secure against unreasonable. [Amendments]	4	–	–	34

	Art.	Sec.	Cl.	Page.
Searches and seizures. And no warrant shall be issued but upon probable cause, on oath or affirmation, describing the place to be searched and the person or things to be seized. [Amendments]	4	–	–	34
Seat of government. Congress shall exercise exclusive legislation in all cases over such district as may become the	1	8	17	12
Securities and current coin of the United States. Congress shall provide for punishing the counterfeiting of the	1	8	6	11
Security of a free State, the right of the people to keep and bear arms shall not be infringed. A well-regulated militia being necessary to the. [Amendments]	2	–	–	33
Senate and House of Representatives. The Congress of the United States shall consist of a	1	1	–	2
Senate of the United States. The Senate shall be composed of two Senators from each State, chosen by the legislature for six years	1	3	1	4
If vacancies happen during the recess of the legislature of a State, the executive thereof may make temporary appointments until the next meeting of the legislature	1	3	2	4
The Vice-President shall be President of the Senate, but shall have no vote unless the Senate be equally divided	1	3	4	4
The Senate shall choose their other officers, and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President	1	3	5	4
The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation	1	3	6	4
When the President of the United States is tried the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present	1	3	6	4
It shall be the judge of elections, returns, and qualifications of its own members	1	5	1	5
A majority shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members	1	5	1	5

	Art.	Sec.	Cl.	Page.
Senate of the United States. It may determine the rules of its proceedings, punish a member for disorderly behavior, and, with the concurrence of two-thirds expel a member	1	5	2	5
It shall keep a journal of its proceedings and from time to time publish the same, except such parts as may in their judgment require secrecy	1	5	3	5
It shall not adjourn for more than three days during a session without the consent of the other House	1	5	4	6
It may propose amendments to bills for raising revenue, but such bills shall originate in the House of Representatives	1	7	1	6
The Senate shall advise and consent to the ratification of all treaties, provided two-thirds of the members present concur	2	2	2	21
It shall advise and consent to the appointment of ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers not herein otherwise provided for	2	2	2	21
It may be convened by the President on extraordinary occasions	2	3	–	22
No State, without its consent, shall be deprived of its equal suffrage in the Senate	5	–	–	30
Senators. They shall, immediately after assembling, under their first election, be divided into three classes, so that the seats of one-third shall become vacant at the expiration of every second year	1	3	2	4
No person shall be a Senator who shall not be thirty years of age, nine years a citizen of the United States, and an inhabitant when elected of the State for which he shall be chosen	1	3	3	4
The time, places, and manner of choosing Senators may be fixed by the legislature of a State, but Congress may by law make or alter such regulations, except as to the places of choosing	1	4	1	5
If vacancies happen during the recess of the legislature of a State, the executive thereof may make temporary appointments until the next meeting of the legislature	1	3	2	4
They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of the Senate and in going to and returning from the same	1	6	1	6

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Senators. Senators and Representatives shall receive a compensation to be ascertained by law	1	6	1	6
Senators and Representatives shall not be questioned for any speech or debate in either House in any other place	1	6	1	6
No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the United States which shall have been created, or of which the emoluments shall have been increased, during such term	1	6	2	6
No person holding any office under the United States shall be a member of either House during his continuance in office	1	6	2	6
No Senator or Representative or person holding an office of trust or profit under the United States shall be an elector for President and Vice-President	2	1	2	19
Senators and Representatives shall be bound by an oath or affirmation to support the Constitution	6	–	3	31
No person shall be a Senator or Representative who having, as a Federal or State officer, taken an oath to support the Constitution, afterwards engaged in rebellion against the United States. [Amendments]	14	3	–	46
But Congress may, by a vote of two-thirds of each House, remove such disability. [Amendments]	14	3	–	46
Service or labor in one State, escaping into another State, shall be delivered up to the party to whom such service or labor may be due. Fugitives from	4	2	3	28
Servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist in the United States or any place subject to their jurisdiction. Neither slavery nor involuntary. [Amendments]	13	1	–	40
Servitude. The right of citizens of the United States to vote shall not be denied or abridged by the United States or any State on account of race, color, or previous condition of. [Amendments]	15	1	–	47
Ships of war in time of peace, without the consent of Congress. No State shall keep troops or	1	10	3	19
Silver coin a tender in payment of debts. No State shall make anything but gold and	1	10	1	15

	Art.	Sec.	Cl.	Page.
Slave. Neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion, or any claim for the loss or emancipation of any. [Amendments]	14	4	–	46
Slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist in the United States, or any places subject to their jurisdiction. Neither. [Amendments]	13	1	–	40
Soldiers shall not be quartered, in time of peace, in any house without the consent of the owner. [Amendments]	3	–	–	34
South Carolina entitled to five Representatives in the First Congress	1	2	3	3
Speaker and other officers. The House of Representatives shall choose their	1	2	5	3
Speech or of the press. Congress shall make no law abridging the freedom of. [Amendments]	1	–	–	33
Speedy and public trial by a jury. In all criminal prosecutions the accused shall have a. [Amendments]	6	–	–	36
Standard of weights and measures. Congress shall fix the	1	8	5	11
State of the Union. The President shall, from time to time, give Congress information of the	2	3	–	22
State legislatures, and all executive and judicial officers of the United States, shall take an oath to support the Constitution. All members of the several	6	–	3	31
States. When vacancies happen in the representation from any State, the executive authority shall issue writs of election to fill such vacancies	1	2	4	3
Congress shall have power to regulate commerce among the several	1	8	3	8
No State shall enter into any treaty, alliance, or confederation	1	10	1	15
Shall not grant letters of marque and reprisal	1	10	1	15
Shall not coin money	1	10	1	15
Shall not emit bills of credit	1	10	1	15
Shall not make anything but gold and silver coin a tender in payment of debts	1	10	1	15
Shall not pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts	1	10	1	15
Shall not grant any title of nobility	1	10	1	15

	Art.	Sec.	Cl.	Page.
States shall not, without the consent of Congress, lay any duties on imports or exports, except what may be absolutely necessary for executing its inspection laws	1	10	2	18
Shall not, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded or in such imminent danger as will not admit of delay	1	10	3	19
Full faith and credit in every other State shall be given to the public acts, records, and judicial proceedings of each State	4	1	–	27
Congress shall prescribe the manner of proving such acts, records, and proceedings	4	1	–	27
Citizens of each State shall be entitled to all privileges and immunities of citizens in the several States	4	2	1	28
New States may be admitted by Congress into this Union	4	3	1	29
But no new State shall be formed or erected within the jurisdiction of another State	4	3	1	29
Nor any State formed by the junction of two or more States or parts of States, without the consent of the legislatures as well as of Congress	4	3	1	29
No State shall be deprived, without its consent, of its equal suffrage in the Senate	5	–	–	30
Three-fourths of the legislatures of the States or conventions of three-fourths of the States, as Congress shall prescribe, may ratify amendments to the Constitution	5	–	–	30
The United States shall guarantee a republican form of government to every State in the Union	4	4	–	29
They shall protect each State against invasion	4	4	–	29
And on application of the legislature, or the executive (when the legislature can not be convened), against domestic violence	4	4	–	29
The ratification by nine States shall be sufficient to establish the Constitution between the States so ratifying the same	7	–	–	31
When the choice of President shall devolve on the House of Representatives, the vote shall be taken by States. [Amendments]	12	–	–	39

	Art.	Sec.	Cl.	Page.
States. But in choosing the President the vote shall be taken by States, the representation from each State having one vote. [Amendments]	12	–	–	39
A quorum for choice of President shall consist of a member or members from two-thirds of the States and a majority of all the States shall be necessary to a choice. [Amendments]	12	–	–	39
States or to the people. Powers not delegated to the United States, nor prohibited to the States are reserved to the. [Amendments]	10	–	–	37
Suffrage in the Senate. No State shall be deprived without its consent of its equal	5	–	–	30
Suits at common law, where the value in controversy shall exceed $20, shall be tried by jury. [Amendments]	7	–	–	36
In law or equity against one of the States, by citizens of another State, or by citizens of a foreign state. The judicial power of the United States shall not extend to. [Amendments]	11	–	–	38
Supreme Court. Congress shall have power to constitute tribunals inferior to the	1	8	9	12
Supreme Court, and such inferior courts as Congress may establish. The judicial power of the United States shall be vested in one	3	1	–	23
Supreme Court. The judges of the Supreme and inferior courts shall hold their offices during good behavior.	3	1	–	23
The compensation of the judges shall not be diminished during their continuance in office	3	1	–	23
Shall have original jurisdiction. In all cases affecting ambassadors, other public ministers and consuls, and in which a State may be a party, the	3	2	2	26
Shall have appellate jurisdiction, both as to law and the fact, with such exceptions and regulations as Congress may make. The	3	2	2	26
Supreme law of the land. This Constitution, the laws made in pursuance thereof, and the treaties of the United States, shall be the	6	–	2	30
The judges in every State shall be bound thereby	6	–	2	30
Suppress insurrections and repel invasions. Congress shall provide for calling forth the militia to execute the laws	1	8	15	12

	Art.	Sec.	Cl.	Page.
Suppression of insurrection or rebellion shall not be questioned. The public debt, including the debt for pensions and bounties, incurred in the. [Amendments]	14	4	–	46
T.				
Tax shall be laid unless in proportion to the census or enumeration. No capitation or other direct	1	9	4	14
Tax or duty shall be laid on articles exported from any State. No	1	9	5	14
Taxes (direct) and Representatives, how apportioned among the several States. [See 14th amendment, section 2, page 45]	1	2	3	3
Taxes, duties, imposts, and excises. Congress shall have power to lay	1	8	1	7
They shall be uniform throughout the United States.	1	8	1	7
Temporary appointments until the next meeting of the legislature. If vacancies happen in the Senate in the recess of the legislature of a State, the executive of the State shall make	1	3	2	4
Tender in payment of debts. No State shall make anything but gold and silver coin a	1	10	1	15
Term of four years. The President and Vice-President shall hold their offices for the	2	1	1	19
Term for which he is elected. No Senator or Representative shall be appointed to any office under the United States which shall have been created or its emoluments increased during the	1	6	2	6
Territory or other property of the United States. Congress shall dispose of and make all needful rules and regulations respecting the	4	3	2	29
Test as a qualification for any office or public trust shall ever be required. No religious	6	–	3	31
Testimony of two witnesses to the same overt act, or on confession in open court. No person shall be convicted of treason except on the	3	3	1	27
Three-fourths of the legislatures of the States, or conventions in three-fourths of the States, as Congress shall prescribe, may ratify amendments to the Constitution.	5	–	–	30
Tie. The Vice-President shall have no vote unless the Senate be equally divided	1	3	4	4

	Art.	Sec.	Cl.	Page.
Times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof	1	4	1	5
But Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators	1	4	1	5
Title of nobility. The United States shall not grant any	1	9	8	15
No State shall grant any	1	10	1	15
Title of any kind, from any king, prince, or foreign state, without the consent of Congress. No person holding any office under the United States shall accept of any	1	9	8	15
Tonnage without the consent of Congress. No State shall lay any duty of	1	10	3	19
Tranquillity, provide for common defense, etc. To insure domestic. [Preamble]	–	–	–	1
Treason shall consist only in levying war against the United States, or in adhering to their enemies, giving them aid and comfort	3	3	1	26
Treason. No person shall, unless on the testimony of two witnesses to the same overt act, or on confession in open court, be convicted of	3	3	1	26
Congress shall have power to declare the punishment of	3	3	2	27
Shall not work corruption of blood. Attainder of	3	3	2	27
Shall not work forfeiture, except during the life of the person attainted. Attainder of	3	3	2	27
Treason, bribery, or other high crimes and misdemeanors. The President, Vice-President, and all civil officers shall be removed from office on impeachment for and conviction of	2	4	–	23
Treason, felony, and breach of the peace. Senators and Representatives shall be privileged from arrest while attending or while going to or returning from the sessions of Congress, except in cases of	1	6	1	6
Treasury, but in consequence of appropriations made by law. No money shall be drawn from the	1	9	7	15
Treaties. The President shall have power, with the advice and consent of the Senate, provided two-thirds of the Senators present concur, to make	2	2	2	21
The judicial power shall extend to all cases arising under the Constitution, laws, and	3	2	1	23

	Art.	Sec.	Cl.	Page.
Treaties. They shall be the supreme law of the land, and the judges in every State shall be bound thereby	6	–	2	30
Treaty, alliance, or confederation. No State shall enter into any	1	10	1	15
Trial, judgment, and punishment according to law. Judgment in cases of impeachment shall not extend further than to removal from, and disqualification for, office; but the party convicted shall nevertheless be liable and subject to indictment	1	3	7	5
Trial by jury. All crimes, except in cases of impeachment, shall be tried by jury	3	2	3	26
Such trial shall be held in the State within which the crime shall have been committed	3	2	3	26
But when not committed within a State, the trial shall be at such place as Congress may by law have directed	3	2	3	26
In all criminal prosecutions the accused shall have a speedy and public. [Amendments]	6	–	–	36
Suits at common law, when the amount exceeds $20, shall be by. [Amendments]	7	–	–	36
Tribunals inferior to the Supreme Court. Congress shall have power to constitute	1	8	9	12
Troops or ships of war in time of peace without the consent of Congress. No State shall keep	1	10	3	19
Trust and profit under the United States shall be an elector for President and Vice-President. No Senator, Representative, or person holding any office of	2	1	2	20
Two-thirds of the members present. No person shall be convicted on impeachment without the concurrence of	1	3	6	4
Two-thirds, may expel a member. Each House, with the concurrence of	1	5	2	5
Two-thirds. A bill returned by the President with his objections may be repassed by each House by a vote of	1	7	2	6
Two-thirds of the Senators present concur. The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided	2	2	2	21
Two-thirds of the legislatures of the several States. Congress shall call a convention for proposing amendments to the Constitution on the application of	5	–	–	30

	Art.	Sec.	Cl.	Page.
Two-thirds of both Houses shall deem it necessary. Congress shall propose amendments to the Constitution whenever	5	–	–	30
Two-thirds of the States. When the choice of a President shall devolve on the House of Representatives, a quorum shall consist of a member or members from. [Amendments]	12	–	–	39
Two-thirds of the whole number of Senators. A quorum of the Senate, when choosing a Vice-President, shall consist of. [Amendments]	12	–	–	40
Two-thirds, may remove the disabilities imposed by the third section of the fourteenth amendment. Congress by a vote of. [Amendments]	14	3	–	46
Two years. Appropriations for raising and supporting armies shall not be for a longer term than	1	8	12	12
U.				
Union. To establish a more perfect. [Preamble]	–	–	–	1
The President shall, from time to time, give to Congress information of the state of the	2	3	–	22
New States may be admitted by Congress into this	4	3	1	29
But no new State shall be formed or erected within the jurisdiction of another	4	3	1	29
Unreasonable searches and seizures. The people shall be secured in their persons, houses, papers, and effects against. [Amendments]	4	–	–	34
And no warrants shall be issued but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized. [Amendments]	4	–	–	34
Unusual punishments inflicted. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and. [Amendments]	8	–	–	37
Use without just compensation. Private property shall not be taken for public. [Amendments]	5	–	–	34
Useful arts by securing for limited times to authors and inventors the exclusive right to their writings and inventions. Congress shall have power to promote the progress of science and the	1	8	8	11

V.

	Art.	Sec.	Cl.	Page.
Vacancies happening in the representation of a State. The executive thereof shall issue writs of election to fill.	1	2	4	3
Vacancies happening in the Senate in the recess of the legislature of a State. How filled	1	3	2	4
Vacancies that happened during the recess of the Senate by granting commissions which shall expire at the end of the next session. The President shall have power to fill	2	2	3	22
Validily of the public debt incurred in suppressing insurrection against the United States, including debt for pensions and bounties, shall not be questioned. [Amendments]	14	4	–	46
Vessels bound to or from the ports of one State shall not be obliged to enter, clear, or pay duties in another State	1	9	6	14
Veto of a bill by the President. Proceedings of the two Houses upon the	1	7	2	6
Vice-President of the United States shall be President of the Senate	1	3	4	4
He shall have no vote unless the Senate be equally divided	1	3	4	4
The Senate shall elect a President *pro tempore* in the absence of the	1	3	5	4
He shall be chosen for the term of four years	2	1	1	19
The number and the manner of appointing electors for President and	2	1	2	19
In case of removal, death, resignation, or inability of the President, the power and duties of his office shall devolve on the	2	1	5	20
Congress may provide by law for the case of the removal, death, resignation, or inability, both of the President and	2	1	5	20
Vice-President on impeachment for and conviction of treason, bribery, and other high crimes and misdemeanors shall be removed from office. The	2	4	–	22
Vice-President. The manner of choosing the. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves. [Amendments]	12	–	–	39
The electors shall name, in distinct ballots, the person voted for as Vice-President. [Amendments]	12	–	–	39

	Art.	Sec.	Cl.	Page.
Vice-President. The manner of choosing the. They shall make distinct lists of the persons voted for as Vice-President, which lists they shall sign and certify, and send sealed to the seat of Government, directed to the President of the Senate. [Amendments]..	12	–	–	39
The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted. [Amendments]	12	–	–	39
The person having the greatest number of votes shall be Vice-President if such number be a majority of the whole number of electors. [Amendments] ..	12	–	–	39
If no person have a majority, then from the two highest numbers on the list the Senate shall choose the Vice-President. [Amendments].....	12	–	–	40
A quorum for this purpose shall consist of two-thirds of the whole number of Senators; and a majority of the whole number shall be necessary to a choice. [Amendments]	12	–	–	40
But if the House shall make no choice of a President before the 4th of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. [Amendments]	12	–	–	39
No person constitutionally ineligible as President shall be eligible as. [Amendments]	12	–	–	40
Violence. The United States shall guarantee to every State a republican form of Government, and shall protect each State against invasion and domestic..	4	4	–	29
Virginia entitled to ten Representatives in the First Congress	1	2	3	3
Vote. Each Senator shall have one	1	3	1	4
The Vice-President, unless the Senate be equally divided, shall have no	1	3	4	4
Vote requiring the concurrence of the two Houses (except upon a question of adjournment) shall be presented to the President. Every order, resolution, or	1	7	3	7
Vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The right of citizens of the United States to. [Amendments]	15	1	–	47

	Art.	Sec.	Cl.	Page.
Vote of two-thirds. Each House may expel a member by a.	1	5	2	5
A bill vetoed by the President may be repassed in each House by a	1	7	2	6
No person shall be convicted on an impeachment except by a	1	3	6	4
Whenever both Houses shall deem it necessary, Congress may propose amendments to the Constitution by a	5	–	–	30
The President may make treaties, with the advice and consent of the Senate, by a	2	2	2	21
Disabilities incurred by participation in insurrection or rebellion may be relieved by Congress by a. [Amendments]	14	3	–	46

W.

War, grant letters of marque and reprisals, and make rules concerning captures on land and water. Congress shall have power to declare	1	8	11	12
For governing the land and naval forces. Congress shall have power to make rules and articles of	1	8	14	12
No State shall, without the consent of Congress, unless actually invaded, or in such imminent danger as will not admit of delay, engage in	1	10	3	19
War against the United States, adhering to their enemies, and giving them aid and comfort. Treason shall consist only in levying	3	3	1	26
Warrants shall issue but upon probable cause, on oath or affirmation, describing the place to be searched, and the persons or things to be seized. No. [Amendments]	4	–	–	34
Weights and measures. Congress shall fix the standard of.	1	8	5	11
Welfare, and to secure the blessings of liberty, etc. To promote the general. [Preamble]	–	–	–	1
Welfare. Congress shall have power to provide for the common defense and general	1	8	1	7
Witness against himself. No person shall, in a criminal case, be compelled to be a. [Amendments]	5	–	–	34
Witnesses against him. In all criminal prosecutions the accused shall be confronted with the. [Amendments]	6	–	–	36

	Art.	Sec.	Cl.	Page.
Witnesses in his favor. In all criminal prosecutions the accused shall have compulsory process for obtaining. [Amendments]	6	–	–	36
Witnesses to the same overt act, or on confession in open court. No person shall be convicted of treason unless on the testimony of two	3	3	1	27
Writ of habeas corpus shall not be suspended, unless in case of rebellion or invasion the public safety may require it	1	9	2	14
Writs of election to fill vacancies in the representation of any State. The executive of the State shall issue	1	2	4	3
Written opinion of the principal officer in each of the Executive Departments on any subject relating to the duties of his office. The President may require the	2	2	1	21

Y.

Yeas and nays of the members of either House shall, at the desire of one-fifth of those present, be entered on the journals	1	5	3	5
The votes of both Houses upon the reconsideration of a bill returned by the President with his objections shall be determined by	1	7	2	7

JEFFERSON'S MANUAL

OF

PARLIAMENTARY PRACTICE.

RULE XLIV OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.—*Adopted as Rule CXVIII, September 15, 1887.*

The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives.

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PREFACE.

The Constitution of the United States, establishing a legislature for the Union under certain forms, authorizes each branch of it "to determine the rules of its own proceedings." The Senate have accordingly formed some rules for its own government; but these going only to few cases, they have referred to the decision of their President, without debate and without appeal, all questions of order arising either under their own rules, or where they have provided none. This places under the discretion of the President a very extensive field of decision, and one which, irregularly exercised, would have a powerful effect on the proceedings and determinations of the House. The President must feel, weightily and seriously, this confidence in his discretion, and the necessity of recurring, for its government, to some known system of rules, that he may neither leave himself free to indulge caprice or passion, nor open to the imputation of them. But to what system of rules is he to recur, as supplementary to those of the Senate? To this there can be but one answer. To the system of regulations adopted for the government of some one of the Parliamentary bodies within these States, or of that which has served as a prototype to most of them. This last is the model which we have all studied, while we are little acquainted with the modifications of it in our several States. It is deposited, too, in publications possessed by many, and open to all. Its rules are probably as wisely constructed for governing the debates of a deliberative body, and obtaining its true sense, as any which can become known to us; and the acquiescence of the Senate, hitherto, under the

references to them, has given them the sanction of their approbation.

Considering, therefore, the law of proceedings in the Senate as composed of the precepts of the Constitution, the regulations of the Senate, and, where these are silent, of the rules of Parliament, I have here endeavored to collect and digest so much of these as is called for in ordinary practice, collating the Parliamentary with the Senatorial rules, both where they agree and where they vary. I have done this as well to have them at hand for my own government, as to deposit with the Senate the standard by which I judge, and am willing to be judged. I could not doubt the necessity of quoting the sources of my information, among which Mr. Hatsel's most valuable book is pre-eminent; but as he has only treated some general heads, I have been obliged to recur to other authorities in support of a number of common rules of practice, to which his plan did not descend. Sometimes each authority cited supports the whole passage. Sometimes it rests on all taken together. Sometimes the authority goes only to a part of the text, the residue being inferred from known rules and principles. For some of the most familiar forms no written authority is or can be quoted; no writer having supposed it necessary to repeat what all were presumed to know. The statement of these must rest on their notoriety.

I am aware that authorities can often be produced in opposition to the rules which I lay down as Parliamentary. An attention to dates will generally remove their weight. The proceedings of Parliament in ancient times, and for a long while, were crude, multiform, and embarrassing. They have been, however, constantly advancing toward uniformity and accuracy, and have now attained a degree of aptitude to their object beyond which little is to be desired or expected.

Yet I am far from the presumption of believing that I may not have mistaken the Parliamentary practice in some cases.

and especially in those minor forms, which, being practiced daily, are supposed known to everybody, and therefore have not been committed to writing. Our resources in this quarter of the globe, for obtaining information on that part of the subject, are not perfect. But I have begun a sketch, which those who come after me will successively correct and fill up, till a code of rules shall be formed for the use of the Senate, the effects of which may be accuracy in business, economy of time, order, uniformity, and impartiality.

NOTE.—References to present Senate rules are printed in *italic*.

MANUAL

OF

PARLIAMENTARY PRACTICE.

IMPORTANCE OF RULES.

SEC. I.—IMPORTANCE OF ADHERING TO RULES.

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power." So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and are become the law of the House; by a strict adherence to which, the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but

too often apt to suggest to large and successful majorities. *2 Hats., 171, 172.*

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceeding in business, not subject to the caprice of the Speaker, or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body. *2 Hats., 149.*

SEC. II.—LEGISLATURE.

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. *Constitution of the United States, Art. I, Sec. 1.*

The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. *Constitution of the United States, Art. I, Sec. 6.*

For the powers of Congress, see the following Articles and Sections of the Constitution of the United States: I, 4, 7, 8, 9. II, 1, 2. III, 3. IV, 1, 3, 5, and all the amendments.

SEC. III.—PRIVILEGE.

The privileges of members of Parliament, from small and obscure beginnings, have been advancing for centuries with a firm and never yielding pace. Claims seem to have been brought forward from time to time, and repeated, till some example of their admission enabled them to build law on that example. We can only, therefore, state the points of progression at which they now are. It is now acknowledged, 1st. That they are at all times exempted from question elsewhere, for anything said in their own House; that during the time of privilege, 2d. Neither a member himself, his* wife, nor his

*Order of the House of Commons, 1663, July 16.

servants, (familiares sui,) for any matter of their own, may be† arrested on mesne process, in any civil suit: 3d. Nor be detained under execution, though levied before time of privilege: 4th. Nor impleaded, cited, or subpœnaed in any court: 5th. Nor summoned as a witness or juror: 6th. Nor may their lands or goods be distrained: 7th. Nor their persons assaulted, or characters traduced. And the period of time covered by privilege, before and after the session, with the practice of short prorogations under the connivance of the Crown, amounts in fact to a perpetual protection against the course of justice. In one instance, indeed, it has been relaxed by the 10 G. 3, c. 50, which permits judiciary proceedings to go on against them. That these privileges must be continually progressive, seems to result from their rejecting all definition of them; the doctrine being, that "their dignity and independence are preserved by keeping their privileges indefinite; and that 'the maxims upon which they proceed, together with the method of proceeding, rest entirely in their own breast, and are not defined and ascertained by any particular stated laws.'" *1 Blackst., 163, 164.*

It was probably from this view of the encroaching character of privilege that the framers of our Constitution, in their care to provide that the laws shall bind equally on all, and especially that those who make them shall not exempt themselves from their operation, have only privileged "Senators and Representatives" themselves from the single act of "arrest in all cases except treason, felony, and breach of the peace, during their attendance at the session of their respective Houses, and in going to and returning from the same, and from being questioned in any other place for any speech or debate in either House." *Const. U. S., Art. I, Sec. 6.* Under the general authority "to make all laws necessary and proper for carrying into execution the powers given them," *Const. U. S., Art. II, Sec. 8,* they may provide by law the details which may

† Elsynge, 217; 1 Hats., 21; 1 Grey's Deb., 133.

be neeessary for giving full effect to the enjoyment of this privilege. No such law being as yet made, it seems to stand at present on the following ground: 1. The act of arrest is void, ab initio.* 2. The member arrested may be discharged on motion, *1 Bl.*, *166*; *2 Stra.*, *990*; or by habeas corpus under the Federal or State authority, as the case may be; or by a writ of privilege out of the chancery, *2 Stra.*, *989*, in those States which have adopted that part of the laws of England. *Orders of the House of Commons*, *1550*, *February 20*. 3. The arrest being unlawful, is a trespass for which the officer and others concerned are liable to action or indictment in the ordinary courts of justice, as in other cases of unauthorized arrest. 4. The court before which the process is returnable is bound to act as in other cases of unauthorized proceeding, and liable, also, as in other similar cases, to have their proceedings stayed or corrected by the superior courts.

The time necessary for going to, and returning from, Congress, not being defined, it will, of course, be judged of in every particular case by those who will have to decide the case. While privilege was understood in England to extend, as it does here, only to exemption from arrest, eundo, morando, et redeundo, the House of Commons themselves decided that "a convenient time was to be understood." (*1580*,) *1 Hats.*, *99*, *100*. Nor is the law so strict in point of time as to require the party to set out immediately on his return, but allows him time to settle his private affairs, and to prepare for his journey; and does not even scan his road very nicely, nor forfeit his protection for a little deviation from that which is most direct; some necessity perhaps constraining him to it. *2 Stra.*, *986*, *987*.

This privilege from arrest, privileges, of course, against all process the disobedience to which is punishable by an attachment of the person; as a subpœna ad respondendum, or testificandum, or a summons on a jury; and with reason,

*2 Stra., 989.

because a member has superior duties to perform in another place. When a representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.

So far there will probably be no difference of opinion as to the privileges of the two Houses of Congress; but in the following cases it is otherwise. In December, 1795, the House of Representatives committed two persons of the name of Randall and Whitney, for attempting to corrupt the integrity of certain members, which they considered as a contempt and breach of the privileges of the House; and the facts being proved, Whitney was detained in confinement a fortnight, and Randall three weeks, and was reprimanded by the Speaker. In March, 1796, the House of Representatives voted a challenge given to a member of their House to be a breach of the privileges of the House; but satisfactory apologies and acknowledgments being made, no further proceeding was had. The editor of the Aurora having, in his paper of February 19, 1800, inserted some paragraphs defamatory of the Senate, and failed in his appearance, he was ordered to be committed. In debating the legality of this order, it was insisted, in support of it, that every man, by the law of nature, and every body of men, possesses the right of self-defense; that all public functionaries are essentially invested with the powers of self-preservation; that they have an inherent right to do all acts necessary to keep themselves in a condition to discharge the trusts confided to them; that whenever authorities are given, the means of carrying them into execution are given by necessary implication; that thus we see the British Parliament exercise the right of punishing contempts: all the State Legislatures exercise the same

power, and every court does the same; that, if we have it not, we sit at the mercy of every intruder who may enter our doors or gallery, and, by noise and tumult, render proceeding in business impracticable; that if our tranquillity is to be perpetually disturbed by newspaper defamation, it will not be possible to exercise our functions with the requisite coolness and deliberation; and that we must therefore have a power to punish these disturbers of our peace and proceedings. To this it was answered, that the Parliament and courts of England have cognizance of contempts by the express provisions of their law; that the State Legislatures have equal authority because their powers are plenary; they represent their constituents completely, and possess all their powers, except such as their constitutions have expressly denied them; that the courts of the several States have the same powers by the laws of their States, and those of the Federal Government by the same State laws adopted in each State, by a law of Congress; that none of these bodies, therefore, derive those powers from natural or necessary right, but from express law; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by the Constitution in them," they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, &c.; but, till the law be made, it does not exist; and does not exist, from their own neglect; that, in the meantime, however, they are not unprotected, the ordinary magistrates and courts of law being open and com-

petent to punish all unjustifiable disturbances or defamations, and even their own sergeant, who may appoint deputies ad libitum to aid him, *3 Grey, 59, 147, 255*, is equal to small disturbances; that in requiring a previous law, the Constitution had regard to the inviolability of the citizen, as well as of the member; as, should one House, in the regular form of a bill, aim at too broad privileges, it may be checked by the other, and both by the President; and also as, the law being promulgated, the citizen will know how to avoid offense. But if one branch may assume its own privileges without control, if it may do it on the spur of the occasion, conceal the law in its own breast, and, after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined and to be declared only ex re nata, and according to the passions of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed. Which of these doctrines is to prevail, time will decide. Where there is no fixed law, the judgment on any particular case is the law of that single case only, and dies with it. When a new and even a similar case arises, the judgment which is to make and at the same time apply the law, is open to question and consideration, as are all new laws. Perhaps Congress in the mean time, in their care for the safety of the citizen, as well as that for their own protection, may declare by law what is necessary and proper to enable them to carry into execution the powers vested in them, and thereby hang up a rule for the inspection of all, which may direct the conduct of the citizen, and at the same time test the judgments they shall themselves pronounce in their own case.

Privilege from arrest takes place by force of the election; and before a return be made a member elected may be named of a committee, and is to every extent a member except that he cannot vote until he is sworn. *Memor., 107, 108. D'Ewes,*

642, col. 2; 643, col. 1. Pet. Miscel. Parl., 119. Lex. Parl., c. 23. 2 Hats., 22, 62.

Every man must, at his peril, take notice who are members of either House returned of record. *Lex. Parl., 23; 4 Inst., 24.*

On complaint of a breach of privilege, the party may either be summoned, or sent for in custody of the sergeant. *1 Grey, 88, 95.*

The privilege of a member is the privilege of the House. If the member waive it without leave, it is a ground for punishing him, but cannot in effect waive the privilege of the House. *3 Grey, 140, 222.*

For any speech or debate in either House, they shall not be questioned in any other place. *Const. U. S., I, 6; S. P. protest of the Commons to James I, 1621; 2 Rapin, No. 54, pp. 211, 212.* But this is restrained to things done in the House in a parliamentary course. *1 Rush., 663.* For he is not to have privilege contra morem parliamentarium, to exceed the bounds and limits of his place and duty. *Com. p.*

If an offense be committed by a member in the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it, till the House has punished the offender, or referred him to a due course. *Lex. Parl., 63.*

Privilege is in the power of the House, and is a restraint to the proceeding of inferior courts, but not of the House itself. *2 Nalson, 450; 2 Grey, 399.* For whatever is spoken in the House is subject to the censure of the House; and offenses of this kind have been severely punished by calling the person to the bar to make submission, committing him to the tower, expelling the House, &c. *Scob., 72; L. Parl., c. 22.*

It is a breach of order for the Speaker to refuse to put a question which is in order. *1 Hats., 175–6; 5 Grey, 133.*

And even in cases of treason, felony, and breach of the peace, to which privilege does not extend as to substance, yet

in Parliament a member is privileged as to the mode of proceeding. The case is first to be laid before the House, that it may judge of the fact and of the grounds of the accusation, and how far forth the manner of the trial may concern their privilege; otherwise it would be in the power of other branches of the government, and even of every private man, under pretenses of treason, &c., to take any man from his service in the House, and so, as many, one after another, as would make the House what he pleaseth. *Dec'l of the Com. on the King's declaring Sir John Hotham a traitor. 4 Rushw., 586.* So, when a member stood indicted for felony, it was adjudged that he ought to remain of the House till conviction; for it may be any man's case, who is guiltless, to be accused and indicted of felony, or the like crime. *23 El., 1580; D'Ewes, 283, col. 1; Lex. Parl., 133.*

When it is found necessary for the public service to put a member under arrest, or when, on any public inquiry, matter comes out which may lead to affect the person of a member, it is the practice immediately to acquaint the House, that they may know the reasons for such a proceeding, and take such steps as they think proper. *2 Hats., 259.* Of which see many examples. *Ib., 256, 257, 258.* But the communication is subsequent to the arrest. *1 Blackst., 167.*

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner. *2 Hats., 252; 4 Inst., 15; Seld. Jud., 53.* Thus the King's taking notice of the bill for suppressing

soldiers, depending before the House; his proposing a provisional clause for a bill before it was presented to him by the two Houses; his expressing displeasure against some persons for matters moved in Parliament during the debate and preparation of a bill, were breaches of privilege; *2 Nalson, 743;* and in 1783, December 17, it was declared a breach of fundamental privileges, &c., to report any opinion or pretended opinion of the King on any bill or proceeding depending in either House of Parliament, with a view to influence the votes of the members. *2 Hats., 251, 6.*

SEC. IV.—ELECTIONS.

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. *Const., I, 4.*

Each House shall be the judge of the elections, returns, and qualifications of its own members. *Const., I, 5.*

SEC. V.—QUALIFICATIONS.

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the end of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make

temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies. *Const.*, *I*, *3*.

No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen. *Const.*, *I*, *3*.

The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. *Const.*, *I*, *2*.

No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. *Const.*, *I*, *2*.

Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers; [which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.]* The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative. *Const.*, *I*, *2*.

* The portion of this clause of the Constitution within brackets has been amended by the 14th amendment, 2d section.

The provisional apportionments of Representatives made in the Constitution in 1787, and afterwards by Congress, were as follows:

States.	1787.[a]	1790.[b]	1800.[c]	1810.[d]	1820.[e]	1830.[f]	1840.[g]	1850.[h]	1860.[i]	1870.[j]	1880.[k]	1890.[l]	1900.[m]
Maine[n]	....	....	....	....	7	8	7	6	5	5	4	4	4
New Hampshire	3	4	5	6	6	5	4	3	2	3	2	2	2
Massachusetts	8	14	17	20	13	12	10	11	10	11	12	13	14
Rhode Island	1	2	2	2	2	2	2	2	2	2	2	2	2
Connecticut	5	7	7	7	6	6	4	4	4	4	4	5	5
Vermont	....	2	4	6	5	5	4	3	3	3	2	2	2
New York	6	10	17	27	34	40	34	33	31	33	34	34	37
New Jersey	4	5	6	6	6	6	5	5	5	7	7	8	10
Pennsylvania	8	13	18	23	26	28	24	25	24	27	28	30	32
Delaware	1	1	1	2	1	1	1	1	1	1	1	1	1
Maryland	6	8	9	9	9	8	6	6	5	6	6	6	6
Virginia	10	19	22	23	22	21	15	13	11	9	10	10	10
North Carolina	5	10	12	13	13	13	9	8	7	8	9	9	10
South Carolina	5	6	8	9	9	9	7	6	4	5	7	7	7
Georgia	3	2	4	6	7	9	8	8	7	9	10	11	11
Kentucky	....	2	6	10	12	13	10	10	9	10	11	11	11
Tennessee[o]	....	....	3	6	9	13	11	10	8	10	10	10	10
Ohio[p]	....	....	....	6	14	19	21	21	19	20	21	21	21
Louisiana[q]	....	....	....	....	3	3	4	4	5	6	6	6	7
Indiana[r]	....	....	....	....	3	7	10	11	11	13	13	13	13
Mississippi[s]	....	....	....	....	1	2	4	5	5	6	7	7	8
Illinois[t]	....	....	....	....	1	3	7	9	14	19	20	22	25
Alabama[u]	....	....	....	....	2	5	7	7	6	8	8	9	9
Missouri[v]	....	....	....	....	1	2	5	7	9	13	14	15	16
Arkansas[w]	....	....	....	....	....	....	1	2	3	4	5	6	7
Michigan[x]	....	....	....	....	....	....	3	4	6	9	11	12	12
Florida[y]	....	....	....	....	....	....	....	1	1	2	2	2	3
Iowa[z]	....	....	....	....	....	....	....	2	6	9	11	11	11
Texas[1]	....	....	....	....	....	....	....	2	4	6	11	13	16
Wisconsin[2]	....	....	....	....	....	....	....	3	6	8	9	10	11
California[3]	....	....	....	....	....	....	....	2	3	4	6	7	8
Minnesota[4]	....	....	....	....	....	....	....	....	2	3	5	7	9
Oregon[5]	....	....	....	....	....	....	....	....	1	1	1	2	2
Kansas[6]	....	....	....	....	....	....	....	....	1	3	7	8	8
West Virginia[7]	....	....	....	....	....	....	....	....	3	3	4	4	5
Nevada[8]	....	....	....	....	....	....	....	....	1	1	1	1	1
Nebraska[9]	....	....	....	....	....	....	....	....	1	1	3	6	6
Colorado[10]	....	....	....	....	....	....	....	....	....	1	1	2	3
South Dakota[11]	....	....	....	....	....	....	....	....	....	....	....	2	2
North Dakota[12]	....	....	....	....	....	....	....	....	....	....	....	1	2
Montana[13]	....	....	....	....	....	....	....	....	....	....	....	1	1

NOTE.—The data below and to the right of the heavy line are subsequent to period when the Manual was published in its original form.

States.	1787.	1790.	1800.	1810.	1820.	1830.	1840.	1850.	1860.	1870.	1880.	1890.	1900.
Washington [14]	....	....	....	....	....	....	....	....	....	....	....	2	3
Idaho [15]	....	....	....	....	....	....	....	....	....	....	....	1	1
Wyoming [16]	....	....	....	....	....	....	....	....	....	....	....	1	1
Utah [17]	....	....	....	....	....	....	....	....	....	....	....	1	1
Oklahoma [18]	....	....	....	....	....	....	....	....	....	....	....	....	5
Total	63	105	141	181	212	240	223	234	241	293	325	357	391

[a] As per Constitution.
[b] As per act of April 14, 1792, one Representative for 33,000—first census.
[c] As per act of January 14, 1802, one Representative for 33,000—second census.
[d] As per act of December 21, 1811, one Representative for 35,000—third census.
[e] As per act of March 7, 1822, one Representative for 40,000—fourth census.
[f] As per act of May 22, 1832, one Representative for 47,700—fifth census.
[g] As per act of June 25, 1842, one Representative for 70,680—sixth census.
[h] As per acts of May 23, 1850, and July 30, 1852, one Representative for 93,423—seventh census.
[i] As per act of March 4, 1862, one Representative for 127,381—eighth census.
[j] As per acts of February 2 and May 30, 1872, one Representative for 131,425—ninth census.
[k] As per act of February 25, 1881, one Representative for 151,911—tenth census.
[l] As per act of February 7, 1891, one Representative for 173,901—eleventh census.
[m] As per act of January 16, 1901, one Representative for 194,182—twelfth census.
[n] Previous the 3d March, 1820, Maine formed part of Massachusetts, and was called the *District of Maine*, and its Representatives are numbered with those of Massachusetts. By compact between Maine and Massachusetts, Maine became a separate and independent State, and by act of Congress of 3d March, 1820, was admitted to the Union as such—the admission to take place on the 15th of the same month. On the 7th of April, 1820, Maine was declared entitled to seven Representatives, to be takem from those of Massachusetts.
[o] Admitted under act of Congress, June 1, 1796, with one Representative.
[p] Admitted under act of Congress, April 30, 1802, with one Representative.
[q] Admitted under act of Congress, April 8, 1812, with one Representative.
[r] Admitted under act of Congress, December 11, 1816, with one Representative.
[s] Admitted under act of Congress, December 10, 1817, with one Representative.
[t] Admitted under act of Congress, December 3, 1818, with one Representative.
[u] Admitted under act of Congress, December 14, 1819, with one Representative.
[v] Admitted under act of Congress, March 2, 1821, with one Representative.
[w] Admitted under act of Congress, June 15, 1836, with one Representative.
[x] Admitted under act of Congress, January 26, 1837, with one Representative.
[y] Admitted under act of Congress, March 3, 1845, with one Representative.
[z] Admitted under act of Congress, March 3, 1845, with one Representative.
[1] Admitted under act of Congress, December 29, 1845, with two Representatives.
[2] Admitted under act of Congress, May 29, 1848, with three Representatives.
[3] Admitted under act of Congress, September 9, 1850, with two Representatives.
[4] Admitted under act of Congress, May 11, 1858, with two Representatives.
[5] Admitted under act of Congress, February 14, 1859, with one Representative.
[6] Admitted under act of Congress, January 29, 1861, with one Representative.
[7] Admitted under act of Congress, June 20, 1863, with three Representatives.
[8] Admitted under act of Congress, October 31, 1864, with one Representative.
[9] Admitted under act of Congress, March 1, 1867, with one Representative.
[10] Admitted under act of Congress, August 1, 1876, with one Representative.
[11] Admitted under act of Congress, February 22, 1889.
[12] Admitted under act of Congress, February 22, 1889.
[13] Admitted under act of Congress, February 22, 1889.
[14] Admitted under act of Congress, February 22, 1889.
[15] Admitted under act of Congress, July 3, 1890.
[16] Admitted under act of Congress, July 10, 1890.
[17] Admitted under act of Congress, July 16, 1894.
[18] Admitted under act of Congress, June 16, 1906.

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies. *Const.*, *I*, *2*.

No Senator or Representative, shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office. *Const.*, *I*, *6*.

SEC. VI.—QUORUM.

A majority of each House shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide. *Const.*, *I*, *5*.

In general the chair is not to be taken till a quorum for business is present; unless, after due waiting, such a quorum be despaired of, when the chair may be taken and the House adjourned. And whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted, and being found deficient, business is suspended. *2 Hats.*, *125*, *126*.

[*In the Senate.*] *Rule III.*

1. *The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of.*

2. *A quorum shall consist of a majority of the Senators duly chosen and sworn.*

SEC. VII.—CALL OF THE HOUSE.

On the call of the House, each person rises up as he is called, and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard. *Ord. House of Commons, 92.*

They rise that their persons may be recognized; the voice, in such a crowd, being an insufficient verification of their presence. But in so small a body as the Senate of the United States, the trouble of rising cannot be necessary.

Orders for calls on different days may subsist at the same time. *2 Hats., 72.*

[*In the Senate.*] *Rule V—Clause 2.*

2. *If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.*

SEC. VIII.—ABSENCE.

[*In the Senate.*] *Rule V.*

1. *No Senator shall absent himself from the service of the Senate without leave.*

2. *If, at any time during the daily sessions of the Senate, a question shall be raised by any Senator as to the presence of a quorum, the Presiding Officer shall forthwith direct the Secretary to call the roll and shall announce the result, and these proceedings shall be without debate.*

3. *Whenever upon such roll call it shall be ascertained that a quorum is not present, a majority of the Senators present may direct the Sergeant-at-Arms to request, and, when necessary, to compel the attendance of the absent Senators, which order shall be determined without debate; and pending its execution, and until a quorum shall be present, no debate nor motion, except to adjourn, shall be in order.*

SEC. IX.—SPEAKER.

The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided. *Constitution, I, 3.*

The Senate shall choose their officers, and also a President pro tempore in the absence of the Vice-President, or when he shall exercise the office of President of the United States. *Ib.*

The House of Representatives shall choose their Speaker and other officers. *Const., I, 2.*

When but one person is proposed, and no objection made, it has not been usual in Parliament to put any question to the House; but without a question the members proposing him conduct him to the chair. But if there be objection, or another proposed, a question is put by the Clerk. *2 Hats., 158.* As are also questions of adjournment. *6 Grey, 406.* Where the House debated and exchanged messages and answers with the King for a week without a Speaker, till they were prorogued. They have done it de die in diem for fourteen days. *1 Chand., 331, 335.*

In the Senate, a President pro tempore, in the absence of the Vice-President, is proposed and chosen by ballot. His office is understood to be determined on the Vice-President's appearing and taking the chair, or at the meeting of the Senate after the first recess.

[*In the Senate.*] *Rule I.*

1. *In the absence of the Vice-President, the Senate shall choose a President pro tempore.*

2. *In the absence of the Vice-President, and pending the election of a President pro tempore, the Secretary of the Senate, or in his absence the Chief Clerk, shall perform the duties of the Chair.*

3. *The President pro tempore shall have the right to name in open Senate, or, if absent, in writing, a Senator to perform the duties of the Chair; but such substitution shall not extend beyond an adjournment, except by unanimous consent.*

Where the Speaker has been ill, other Speakers *pro tempore* have been appointed. Instances of this are *1 H.*, *4.* Sir John Cheyney, and Sir William Sturton, and in *15 H.*, *6.* Sir John Tyrrel, in 1656, January 27; 1658, March 9; 1659, January 13.

Sir Job Charlton ill, Seymour chosen, 1673, February 18.
Seymour being ill, Sir Robert Sawyer chosen, 1678, April 15.
Sawyer being ill, Seymour chosen.
} Not merely *pro tempore.* *1 Chand.*, *169*, *276*, *277.*

Thorpe in execution, a new Speaker chosen, *31 H. VI*, *3 Grey*, *11;* and March 14, 1694, Sir John Trevor chosen. There have been no later instances. *2 Hats.*, *161; 4 Inst.*, *8; L. Parl.*, *263.*

A Speaker may be removed at the will of the House, and a Speaker *pro tempore* appointed.* *2 Grey*, *186; 5 Grey*, *134.*

SEC. X.—ADDRESS.

The President shall, from time to time, give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. *Const.*, *II*, *3.*

A joint address of both Houses of Parliament is read by the Speaker of the House of Lords. It may be attended by both Houses in a body, or by a Committee from each House, or by the two Speakers only. An address of the House of Com-

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* The tenure of office of a President *pro tempore* is distinctly defined by the following resolutions adopted by the Senate January 10, and 12, 1876, which are in the following words:

1. *Resolved,* That the tenure of the President *pro tempore* does not expire at the meeting of Congress, after the first recess, the Vice-President not having appeared to take the chair.

2. *Resolved,* That the death of the Vice-President does not have the effect to vacate the office of President *pro tempore.*

3. *Resolved,* That the office of President *pro tempore* is held at the pleasure of the Senate.

(Sen. Jour. 1st Sess. 44th Cong., 1875–'76.)

mons only may be presented by the whole House, or by the Speaker, *9 Grey, 473; 1 Chandler, 298,301;* or by such particular members as are of the privy council. *2 Hats., 278.*

SEC. XI.—COMMITTEES.

Standing committees, as of Privileges and Elections, &c., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy; every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House. *4 Inst., 11, 12; Scob., 9; 1 Grey, 122.*

[*In the Senate.*] *Rule XXIV.*

1. *In the appointment of the standing committees, the Senate, unless otherwise ordered, shall proceed by ballot to appoint severally the chairman of each committee, and then, by one ballot, the other members necessary to complete the same. A majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee, but a plurality of votes shall elect the other members thereof. All other committees shall be appointed by ballot, unless otherwise ordered, and a plurality of votes shall appoint.*

2. *When a chairman of a committee shall resign or cease to serve on a committee, and the Presiding Officer be authorized by the Senate to fill the vacancy in such committee, unless specially otherwise ordered, it shall be only to fill up the number on the committee.*

At these committees the members are to speak standing, and not sitting; though there is reason to conjecture it was formerly otherwise. *D'Ewes, 630, col. 1; 4 Parl. Hist., 440; 2 Hats., 77.*

Their proceedings are not to be published, as they are of no force till confirmed by the House, *Rushw., part 3, vol. 2, 74; 3 Grey, 401; Scob., 39.* Nor can they receive a petition but through the House. *9 Grey, 412.*

When a committee is charged with an inquiry, if a member prove to be involved, they cannot proceed against him, but must make a special report to the House; whereupon the member is heard in his place, or at the bar, or a special authority is given to the committee to inquire concerning him. *9 Grey, 523.*

So soon as the House sits, and a committee is notified of it, the chairman is in duty bound to rise instantly, and the members to attend the service of the House. *2 Nals., 319.*

It appears that on joint committees of the Lords and Commons, each committee acted integrally in the following instances: *7 Grey, 261, 278, 285, 338; 1 Chandler, 357, 462.* In the following instances it does not appear whether they did or not; *6 Grey, 129; 7 Grey, 213, 229, 321.*

SEC. XII.—COMMITTEE OF THE WHOLE.

The speech, messages, and other matters of great concernment, are usually referred to a Committee of the Whole House (*6 Grey, 311*) where general principles are digested in the form of resolutions, which are debated and amended till they get into a shape which meets the approbation of a majority. These being reported and confirmed by the House, are then referred to one or more select committees, according as the subject divides itself into one or more bills. *Scob., 36, 44.* Propositions for any charge on the people are especially to be first made in a Committee of the Whole. *3 Hats., 127.* The sense of the whole is better taken in committee, because in all committees every one speaks as often as he pleases. *Scob., 49.* They generally acquiesce in the chairman named by the Speaker; but, as well as all other committees, have a right to elect one, some member, by consent, putting the question. *Scob., 36; 3 Grey, 301.* The form of going from the House into committee, is for the Speaker, on motion, to put the question that the House do now resolve itself into a Committee of the Whole to take into consideration such a matter, naming it.

If determined in the affirmative, he leaves the chair and takes a seat elsewhere, as any other member; and the person appointed chairman seats himself at the Clerk's table. *Scob.*, *36*. Their quorum is the same as that of the House; and if a defect happens, the chairman, on a motion and question, rises, the Speaker resumes the chair and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced during a committee, the Speaker takes the chair and receives it, because the committee can not. *2 Hats.*, *125*, *126*.

In a Committee of the Whole, the tellers on a division differing as to numbers, great heats and confusion arose, and danger of a decision by the sword. The Speaker took the chair, the mace was forcibly laid on the table; whereupon the members retiring to their places, the Speaker told the House "he had taken the chair without an order, to bring the House into order." Some excepted against it; but it was generally approved as the only expedient to suppress the disorder. And every member was required, standing up in his place, to engage that he would proceed no further in consequence of what had happened in the grand committee, which was done. *3 Grey*, *128*.

A Committee of the Whole being broken up in disorder, and the chair resumed by the Speaker without an order, the House was adjourned. The next day the committee was considered as thereby dissolved, and the subject again before the House; and it was decided in the House, without returning into committee. *3 Grey*, *130*.

No previous question can be put in a committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise, on a question, the House is resumed, and the chairman reports that the Committee of the Whole have, according to order, had under their consideration such a matter, and have made progress therein; but not having had time to go through the same, have directed him to ask leave to sit again. Whereupon a question is put on their having leave,

and on the time the House will again resolve itself into a committee. *Scob.*, *38*. But if they have gone through the matter referred to them, a member moves that the committee may rise, and the chairman report their proceedings to the House; which being resolved, the chairman rises, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and that he is ready to make report when the House shall think proper to receive it. If the House have time to receive it, there is usually a cry of "now, now," whereupon he makes the report; but if it be late, the cry is "to-morrow, to-morrow," or "Monday," &c., or a motion is made to that effect, and a question put that it be received to-morrow, &c. *Scob.*, *38*.

In other things the rules of proceeding are to be the same as in the House. *Scob.*, *39*.

SEC. XIII.—EXAMINATION OF WITNESSES.

Common fame is a good ground for the House to proceed by inquiry, and even to accusation. *Resolution House of Commons*, *1 Car. 1*, *1625*; *Rush*, *L. Parl.*, *115*; *Grey*, *16–22*, *92*; *8 Grey*, *21*, *23*, *27*, *45*.

Witnesses are not to be produced but where the House has previously instituted an inquiry, *2 Hats.*, *102*, nor then are orders for their attendance given blank. *3 Grey*, *51*.

When any person is examined before a committee, or at the bar of the House, any member wishing to ask the person a question, must address it to the Speaker or chairman, who repeats the question to the person, or says to him, "You hear the question—answer it." But if the propriety of the question be objected to, the Speaker directs the witness, counsel, and parties to withdraw; for no question can be moved or put or debated while they are there. *2 Hats.*, *108*. Sometimes the questions are previously settled in writing before the witness enters. *Ib.*, *106*, *107*; *8 Grey*, *64*. The questions asked must be entered in the journals. *3 Grey*, *81*. But the

testimony given in answer before the House is never written down; but before a committee, it must be, for the information of the House, who are not present to hear it. *7 Grey, 52, 334.*

If either House have occasion for the presence of a person in custody of the other, they ask the other their leave that he may be brought up to them in custody. *3 Hats., 52.*

A member, in his place, gives information to the House of what he knows of any matter under hearing at the bar. *Jour. H. of C., Jan. 22, 1744–5.*

Either House may request, but not command, the attendance of a member of the other. They are to make the request by message of the other House, and to express clearly the purpose of attendance, that no improper subject of examination may be tendered to him. The House then gives leave to the member to attend, if he choose it; waiting first to know from the member himself whether he chooses to attend, till which they do not take the message into consideration. But when the peers are sitting as a court of criminal judicature, they may order attendance, unless where it be a case of impeachment by the Commons. There, it is to be a request. *3 Hats., 17; 9 Grey, 306, 406; 10 Grey, 133.*

Counsel are to be heard only on private, not on public bills, and on such points of law only as the House shall direct. *10 Grey, 61.*

SEC. XIV.—ARRANGEMENT OF BUSINESS.

The Speaker is not precisely bound to any rules as to what bills or other matter shall be first taken up; but it is left to his own discretion, unless the House on a question decide to take up a particular subject. *Hakew., 136.*

A settled order of business is, however, necessary for the government of the presiding person, and to restrain individual members from calling up favorite measures, or matters under their special patronage, out of their just turn. It is useful also for directing the discretion of the House, when they are moved to take up a particular matter, to the preju-

dice of others, having priority of right to their attention in the general order of business.

In Senate, the bills and other papers which are in possession of the House, and in a state to be acted on, are arranged every morning and brought on in the following order:

1. Bills ready for a second reading are read, that they may be referred to committees, and so be put under way. But if, on their being read, no motion is made for commitment, they are then laid on the table in the general file, to be taken up in their just turn.

2. After 12 o'clock, bills ready for it are put on their passage.

3. Reports in possession of the House, which offer grounds for a bill, are to be taken up, that the bill may be ordered in.

4. Bills or other matters before the House, and unfinished on the preceding day, whether taken up in turn or on special order, are entitled to be resumed and passed on through their present stage.

5. These matters being dispatched, for preparing and expediting business, the general file of bills and other papers is then taken up, and each article of it is brought on according to its seniority, reckoned by the date of its first introduction to the House. Reports on bills belong to the dates of their bills.

The arrangement of the business of the Senate is now as follows:*

1. Motions previously submitted.

2. Reports of committees previously made.

3. Bills from the House of Representatives, and those introduced on leave, which have been read the first time, are read the second time; and if not referred to a committee, are considered in Committee of the Whole, and proceeded with as in other cases.

4. After twelve o'clock, engrossed bills of the Senate, and bills of the House of Representatives, on third reading, are put on their passage.

*This arrangement is changed by the VIIth, VIIIth, and IXth rules of the Senate.

5. If the above are finished before one o'clock, the general file of bills, consisting of those reported from committees on the second reading, and those reported from committees after having been referred, are taken up in the order in which they were reported to the Senate by the respective committees.

6. At one o'clock, if no business be pending, or if no motion be made to proceed to other business, the special orders are called, at the head of which stands the unfinished business of the preceding day.

In this way we do not waste our time in debating what shall be taken up. We do one thing at a time; follow up a subject while it is fresh, and till it is done with; clear the House of business gradatim as it is brought on, and prevent, to a certain degree, its immense accumulation toward the close of the session.

Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better consideration. Orders of the day may be called for, even when another question is before the House.

SEC. XV.—ORDER.

Each House may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds, expel a member. *Const., I, 5.*

In Parliament, "instances make order," per Speaker Onslow. *2 Hats., 141.* But what is done only by one Parliament, cannot be called custom of Parliament, by Prynne. *1 Grey, 52.*

SEC. XVI.—ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. *2 Hats., 193, 194.*

Mr. Prynne, having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. *1 Chand., 77.*

A bill being missing, the House resolved that a protestation should be made and subscribed by the members "before Almighty God, and this honorable House, that neither myself, nor any other to my knowledge, have taken away, or do at this present conceal a bill entitled," &c. *5 Grey, 202.*

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let any one have it to look into. *Town, col. 209.*

SEC. XVII.—ORDER IN DEBATE.

When the Speaker is seated in his chair, every member is to sit in his place. *Scob. 6; Grey, 403.*

When any member means to speak, he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks. *Scob., 6; D'Ewes, 487, col. 1; 2 Hats., 77; 4 Grey, 66; 8 Grey, 108.* But members who are indisposed may be indulged to speak sitting. *2 Hats., 75, 77; 1 Grey, 143.*

[*In the Senate.*] *Rule XIX.*

1. *When a Senator desires to speak he shall rise and address the Presiding Officer, and shall not proceed until he is recognized, and the Presiding Officer shall recognize the Senator who shall first address him. No Senator shall interrupt another Senator in debate without his consent, and to obtain such consent he shall first address the Presiding Officer; and no Senator shall speak more than twice upon any one question*

in debate on the same day without leave of the Senate, which shall be determined without debate.

2. *If any Senator, in speaking or otherwise, transgress the rules of the Senate, the Presiding Officer shall, or any Senator may, call him to order; and when a Senator shall be called to order he shall sit down, and not proceed without leave of the Senate, which, if granted, shall be upon motion that he be allowed to proceed in order; which motion shall be determined without debate.*

3. *If a Senator be called to order for words spoken in debate, upon the demand of the Senator or of any other Senator the exceptionable words shall be taken down in writing, and read at the table for the information of the Senate.*

When a member stands up to speak, no question is to be put, but he is to be heard unless the House overrule him. *4 Grey, 390; 5 Grey, 6, 143.*

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name, whereupon he proceeds, unless he voluntarily sits down and gives way to the other. But sometimes the House does not acquiesce in the Speaker's decision, in which case the question is put, "which member was first up"?* *2 Hats., 76; Scob., 7; D'Ewes, 434, col. 1, 2.*

In the Senate of the United States the President's decision is without appeal.

No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned. But if it be read more than once in the same day, he may speak once at every reading. *Co., 12, 115; Hakew., 148; Scob., 58; 2 Hats., 75.* Even a change of opinion does not give a right to be heard a second time. *Smyth's Comw. L., 2, c. 3; Arcan. Parl., 17.*

But he may be permitted to speak again to clear a matter of fact, *3 Grey, 357, 416;* or merely to explain himself, *2 Hats.,*

*See ante, Rule XIX, clause 1, for present practice in the Senate.

73, in some material part of his speech, *Ib.*, *75;* or to the manner or words of the question, keeping himself to that only, and not traveling into the merits of it, *Memorials in Hakew.*, *29;* or to the orders of the House, if they be transgressed, keeping within that line, and not falling into the matter itself. *Mem. Hakew.*, *30*, *31*.

But if the Speaker rise to speak, the member standing up ought to sit down, that he may be first heard. *Town.*, *col. 205; Hale Parl.*, *133; Mem. in Hakew.*, *30*, *31*. Nevertheless, though the Speaker may of right speak to matters of order, and be first heard, he is restrained from speaking on any other subject, except where the House have occasion for facts within his knowledge; then he may, with their leave, state the matter of fact. *3 Grey*, *38*.

No one is to speak impertinently or beside the question, superfluous, or tediously. *Scob.*, *31*, *33; 2 Hats.*, *166*, *168; Hale Parl.*, *133*.

No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any member, unless he means to conclude with a motion to rescind it. *2 Hats.*, *169*, *170; Rushw.*, *p. 3*, *v. 1*, *fol. 42*. But while a proposition under consideration is still *in fieri*, though it has even been reported by a committee, reflections on it are no reflections on the House. *9 Grey*, *508*.

No person, in speaking, is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question, &c., *Mem. in Hakew.*, *3; Smyth's Comw.*, *L. 2 c. 3;* nor to digress from the matter to fall upon the person, *Scob.*, *31; Hale Parl.*, *133; 2 Hats.*, *166*, by speaking, reviling, nipping, or unmannerly words against a particular member. *Smyth's Comw.*, *L. 2*, *c. 3*. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose to advocate it is a personality, and against order.

Qui digreditur a materia ad personam, Mr. Speaker ought to suppress. *Ord. Com.*, *1604*, *Apr. 19.*

No one is to disturb another in his speech by hissing, coughing, spitting, *6 Grey*, *332*; *Scob.*, *8*; *D'Ewes*, *332*, *col. 1*, *640*, *col. 2*, speaking or whispering to another, *Scob. 6*; *D'Ewes*, *487*, *col. 1*; nor stand up to interrupt him, *Town.*, *col. 205*; *Mem. in Hakew.*, *31*; nor to pass between the Speaker and the speaking member, nor to go across the House, *Scob.*, *6*, or to walk up and down it, or to take books or papers from the table, or write there, *2 Hats.*, *171.*

Nevertheless, if a member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill manners without sufficient reason, or inattentive to a member who says anything worth their hearing. *2 Hats.*, *77*, *78.*

If repeated calls do not produce order, the Speaker may call by his name any member obstinately persisting in irregularity; whereupon the House may require the member to withdraw. He is then to be heard in exculpation, and to withdraw. Then the Speaker states the offense committed; and the House considers the degree of punishment they will inflict. *2 Hats.*, *167*, *7*, *8*, *172.*

For instances of assaults and affrays in the House of Commons, and the proceedings thereon, see *1 Pet. Misc.*, *82*; *3 Grey*, *128*; *4 Grey*, *328*; *5 Grey*, *382*; *6 Grey*, *254*; *10 Grey*, *8.* Whenever warm words or an assault have passed between members, the House, for the protection of their members, requires them to declare in their places not to prosecute any quarrel, *3 Grey*, *128*, *293*; *5 Grey*, *280*; or orders them to attend the Speaker, who is to accommodate their differences, and report to the House, *3 Grey*, *419*; and they are put under restraint if they refuse, or until they do. *9 Grey*, *234*, *312.*

Disorderly words are not to be noticed till the member has

finished his speech. *5 Grey, 356; 6 Grey, 60.* Then the person objecting to them, and desiring them to be taken down by the Clerk at the table, must repeat them. The Speaker then may direct the Clerk to take them down in his minutes; but if he thinks them not disorderly, he delays the direction. If the call becomes pretty general, he orders the Clerk to take them down, as stated by the objecting member. They are then a part of his minutes, and when read to the offending member, he may deny they were his words, and the House must then decide by a question whether they are his words or not. Then the member may justify them, or explain the sense in which he used them, or apologize. If the House is satisfied, no further proceeding is necessary. But if two members still insist to take the sense of the House, the member must withdraw before that question is stated, and then the sense of the House is to be taken. *2 Hats., 199; 4 Grey, 170; 6 Grey, 59.* When any member has spoken, or other business intervened, after offensive words spoken, they cannot be taken notice of for censure. And this is for the common security of all, and to prevent mistakes which must happen if words are not taken down immediately. Formerly they might be taken down at any time the same day. *2 Hats., 196; Mem. in Hakew., 71; 3 Grey, 48; 9 Grey, 514.*

Disorderly words spoken in a committee must be written down as in the House; but the committee can only report them to the House for animadversion. *6 Grey, 46.*

[*In the Senate.*] (*See ante, Rule XIX, Clauses 2 and 3.*)

In Parliament, to speak irreverently or seditiously against the King, is against order. *Smyth's Comw., L. 2, c. 3; 2 Hats., 170.*

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting

them might beget reflections leading to a misunderstanding between the two Houses. *8 Grey, 22.*

Neither House can exercise any authority over a member or officer of the other, but should complain to the House of which he is, and leave the punishment to them. Where the complaint is of words disrespectfully spoken by a member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses, which can hardly be terminated without difficulty and disorder. *3 Hats., 51.*

No member may be present when a bill or any business concerning himself is debating; nor is any member to speak to the merits of it till he withdraws. *2 Hats., 219.* The rule is, that if a charge against a member arise out of a report of a committee, or examination of witnesses in the House, as the member knows from that to what points he is to direct his exculpation, he may be heard to those points before any question is moved or stated against him. He is then to be heard, and withdraw before any question is moved. But if the question itself is the charge, as for breach of order or matter arising in the debate, then the charge must be stated (that is, the question must be moved), himself heard, and then to withdraw. *2 Hats., 121, 122.*

Where the private interests of a member are concerned in a bill or question he is to withdraw. And where such an interest has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency, but to the fundamental principle of the social compact, which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial

observance should be strictly adhered to. *2 Hats.*, *119*, *121*; *6 Grey*, *368*.

No member is to come into the House with his head covered, nor to remove from one place to another with his hat on, nor is to put on his hat in coming in or removing, until he be set down in his place. *Scob.*, *6*.

A question of order may be adjourned to give time to look into precedents. *2 Hats.*, *118*.

In Parliament, all decisions of the Speaker may be controlled by the House. *3 Grey*, *319*.

SEC. XVIII.—ORDERS OF THE HOUSE.

Of right, the door of the House ought not to be shut, but to be kept by porters, or Sergeants-at-Arms, assigned for that purpose. *Mod ten. Parl.*, *23*.

[*In the Senate.*] *Rule XXXV.*

On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed.

The only case where a member has a right to insist on anything, is where he calls for the execution of a subsisting order of the House. Here, there having been already a resolution, any person has a right to insist that the Speaker, or any other whose duty it is, shall carry it into execution; and no debate or delay can be had on it. Thus any member has a right to have the House or gallery cleared of strangers, an order existing for that purpose; or to have the House told when there is not a quorum present. *2 Hats.*, *87*, *129*. How far an order of the House is binding, see *Hakew.*, *392*.

But where an order is made that any particular matter be taken up on a particular day, there a question is to be put, when it is called for, whether the House will now proceed to that matter? Where orders of the day are on important

or interesting matter, they ought not to be proceeded on till an hour at which the House is usually full [*which in Senate is at noon*].

[*In the Senate.*] *Rule X.*

1. *Any subject may, by a vote of two-thirds of the Senators present, be made a special order; and when the time so fixed for its consideration arrives the Presiding Officer shall lay it before the Senate, unless there be unfinished business of the preceding day, and if it is not finally disposed of on that day it shall take its place on the Calendar of Special Orders in the order of time at which it was made special, unless it shall become by adjournment the unfinished business.*

2. *When two or more special orders have been made for the same time, they shall have precedence according to the order in which they were severally assigned, and that order shall only be changed by direction of the Senate.*

And all motions to change such order, or to proceed to the consideration of other business, shall be decided without debate.

Orders of the day may be discharged at any time, and a new one made for a different day. *3 Grey, 48, 313.*

When a session is drawing to a close, and the important bills are all brought in, the House, in order to prevent interruption by further unimportant bills, sometimes comes to a resolution that no new bill be brought in, except it be sent from the other House. *3 Grey, 156.*

All orders of the House determine with the session; and one taken under such an order may, after the session is ended, be discharged on a habeas corpus. *Raym., 120; Jacob's L. D. by Ruffhead; Parliament, 1 Lev., 165, Pitchara's case.*

Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive, or judiciary) submitted to them by the Constitution, or in something relating to these, and necessary toward their execution. But orders and resolutions are sometimes entered in the journals having no relation to these, such as acceptances of invitations to attend orations to take part in

procession, &c. These must be understood to be merely conventional among those who are willing to participate in the ceremony, and are therefore, perhaps, improperly placed among the records of the House.

SEC. XIX.—PETITION.

A petition prays something. A remonstrance has no prayer. *1 Grey, 58.*

Petitions must be subscribed by the petitioners, *Scob., 87; L. Parl., c. 22; 9 Grey, 362*, unless they are attending, *1 Grey, 401*, or unable to sign, and averred by a member, *3 Grey, 418.* But a petition not subscribed, but which the member presenting it affirmed to be all in the handwriting of the petitioner, and his name written in the beginning, was on the question (March 14, 1800) received by the Senate. The averment of a member, or of somebody without doors, that they know the handwriting of the petitioners, is necessary, if it be questioned. *6 Grey, 36.* It must be presented by a member—not by the petitioners, and must be opened by him holding it in his hand. *10 Grey, 57.*

[*In the Senate.*] *Rule VII—Clauses 3, 4.*

3. *Every petition or memorial shall be referred, without putting the question, unless objection to such reference is made; in which case all motions for the reception or reference of such petition, memorial, or other paper shall be put in the order in which the same shall be made, and shall not be open to amendment, except to add instructions.*

4. *Every petition or memorial shall be signed by the petitioner or memorialist and have indorsed thereon a brief statement of its contents, and shall be presented and referred without debate. But no petition or memorial or other paper signed by citizens or subjects of foreign power shall be received, unless the same be transmitted to the Senate by the President.*

Regularly a motion for receiving it must be made and seconded, and a question put, whether it shall be received? but

a cry from the House of "received," or even its silence, dispenses with the formality of this question. It is then to be read at the table and disposed of.

SEC. XX.—MOTIONS.

When a motion has been made, it is not to be put to the question or debated until it is seconded. *Scob.*, *21.*

It is then, and not till then, in possession of the House, and can not be withdrawn but by leave of the House. It is to be put into writing, if the House or Speaker require it, and must be read to the House by the Speaker as often as any member desires it for his information. *2 Hats.*, *82.*

[*In the Senate.*] *Rule XXI.*

1. *All motions shall be reduced to writing, if desired by the Presiding Officer or by any Senator, and shall be read before the same shall be debated.*

2. *Any motion or resolution may be withdrawn or modified by the mover at any time before a decision, amendment, or ordering of the yeas and nays, except a motion to reconsider, which shall not be withdrawn without leave.*

It might be asked whether a motion for adjournment or for the orders of the day can be made by one member while another is speaking? It can not. When two members offer to speak, he who rose first is to be heard, and it is a breach of order in another to interrupt him, unless by calling him to order if he departs from it. And the question of order being decided, he is still to be heard through. A call for adjournment, or for the order of the day, or for the question, by gentlemen from their seats, is not a motion. No motion can be made without rising and addressing the Chair. Such calls are themselves breaches of order, which, though the member who has risen may respect, as an expression of impatience of the House against further debate, yet, if he chooses, he has a right to go on.

SEC. XXI.—RESOLUTIONS.

When the House commands, it is by an "order." But fact, principles, and their own opinions and purposes, are expressed in the form of resolutions.

A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on appeal to the Senate (*i. e.*, a call for their sense by the President, on account of doubt in his mind, according to Rule XX, clause 2) the decision was overruled. *Jour. Senate, June 1, 1796.* I presume the doubt was, whether an allowance of money could be made otherwise than by bill.

SEC. XXII.—BILLS.

[*In the Senate.*] *Rule XIV—Clause 2.*

2. *Every bill and joint resolution shall receive three readings previous to its passage, which readings shall be on three different days, unless the Senate unanimously direct otherwise; and the Presiding Officer shall give notice at each reading whether it be the first, second, or third.*

SEC. XXIII.—BILLS, LEAVE TO BRING IN.

When a member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill, entitled, &c. Leave being given, on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew., 132; Scob., 40.* It is to be presented fairly written, without any erasure or interlineation, or the Speaker may refuse it. *Scob., 41; 1 Grey, 82, 84.*

[*In the Senate.*] *Rule XIV—Clause 1.*

1. *Whenever a bill or joint resolution shall be offered, its introduction shall, if objected to, be postponed for one day.*

SEC. XXIV.—BILLS, FIRST READING.

When a bill is first presented, the Clerk reads it at the table, and hands it to the Speaker, who, rising, states to the House the title of the bill; that this is the first time of reading it; and the question will be, whether it shall be read a second time? then sitting down to give an opening for objections. If none be made, he rises again, and puts the question, whether it shall be read a second time? *Hakew.*, *137*, *141*. A bill cannot be amended on the first reading, *6 Grey*, *286;* nor is it usual for it to be opposed then, but it may be done, and rejected. *D'Ewes*, *335*, *col. 1; 3 Hats.*, *198*.

SEC. XXV.—BILLS, SECOND READING.

The second reading must regularly be on another day. *Hakew.*, *143*. It is done by the Clerk at the table, who then hands it to the Speaker. The Speaker, rising, states to the House the title of the bill; that this is the second time of reading it; and that the question will be, whether it shall be committed, or engrossed and read a third time? But if the bill came from the other House, as it always comes engrossed, he states that the question will be, whether it shall be read a third time? and before he has so reported the state of the bill, no one is to speak to it. *Hakew.*, *143*, *146*.

[*In the Senate.*] *Rule XIV—Clause 3.*

3. *No bill or joint resolution shall be committed or amended until it shall have been twice read, after which it may be referred to a committee; bills and joint resolutions introduced on leave, and bills and joint resolutions from the House of Representatives, shall be read once, and may be read twice, on the same day, if not objected to, for reference, but shall not be considered on that day as in Committee of the Whole, nor debated, except for reference, unless by unanimous consent.*

In the Senate of the United States, the President reports the title of the bill; that this is the second time of reading it; that it is now to be considered as in a Committee of the

Whole; and the question will be, whether it shall be read a third time? or that it may be referred to a special committee?

SEC. XXVI.—BILLS, COMMITMENT.

If on motion and question it be decided that the bill shall be committed, it may then be moved to be referred to Committee of the Whole House, or to a special committee. If the latter, the Speaker proceeds to name the committee. Any member also may name a single person, and the Clerk is to write him down as of the committee. But the House have a controlling power over the names and number, if a question be moved against any one; and may in any case put in and put out whom they please.

[*In the Senate.*] *Rule XXVI—Clause 1.*

1. *When motions are made for reference of a subject to a select committee, or to a standing committee, the question of reference to a standing committee shall be put first; and a motion simply to refer shall not be open to amendment, except to add instructions.*

Those who take exceptions to some particulars in the bill are to be of the committee, but none who speak directly against the body of the bill; for he that would totally destroy will not amend it, *Hakew.*, *146; Town.*, *col.*, *208; D'Ewes*, *634*, *col. 2; Scob.*, *47;* or, as is said, *5 Grey*, *145*, the child is not to be put to a nurse that cares not for it, *6 Grey*, *373*. It is therefore a constant rule "that no man is to be employed in any matter who has declared himself against it." And when any member who is against the bill hears himself named of its committee, he ought to ask to be excused. Thus, March 7, 1606, Mr. Hadley was, on the question being put, excused from being of a committee, declaring himself to be against the matter itself. *Scob.*, *46*.

The Clerk may deliver the bill to any member of the committee, *Town.*, *col. 138;* but it is usual to deliver it to him who is first named.

In some cases the House has ordered a committee to with-

draw immediately into the committee chamber, and act on and bring back the bill, sitting the House. *Scob.*, *48*. A committee meet when and where they please, if the House has not ordered time and place for them, *6 Grey*, *370;* but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

A majority of the committee constitutes a quorum for business. *Elsynge's Method of Passing Bills*, *11*.

Any member of the House may be present at any select committee, but cannot vote, and must give place to all of the committee, and sit below them. *Elsynge*, *12;* *Scob.*, *49*.

The committee have full power over the bill or other paper committed to them, except that they cannot change the title or subject. *8 Grey*, *228*.

The paper before a committee, whether select or of the whole, may be a bill, resolutions, draught of an address, &c., and it may either originate with them or be referred to them. In every case the whole paper is read first by the Clerk, and then by the chairman, by paragraphs, *Scob.*, *49*, pausing at the end of each paragraph, and putting questions for amending, if proposed. In the case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole, *3 Hats.*, *276;* but if they relate to the same subject, a question is put on the whole. If it be a bill, draught of an address, or other paper originating with them, they proceed by paragraphs, putting questions for amending, either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately; this is reserved to the close, when a question is put on the whole, for agreeing to it as amended or unamended. But if it be a paper referred to them, they proceed to put questions of amendment, if proposed, but no final question on the whole; because all parts of the paper, having been adopted by the House, stand, of

course, unless altered or struck out by a vote. Even if they are opposed to the whole paper, and think it cannot be made good by amendments, they cannot reject it, but must report it back to the House without amendments, and there make their opposition.

The natural order in considering and amending any paper is, to begin at the beginning, and proceed through it by paragraphs; and this order is so strictly adhered to in Parliament, that when a latter part has been amended, you cannot recur back and make any alteration in a former part. *2 Hats., 90.* In numerous assemblies this restraint is doubtless important. But in the Senate of the United States, though in the main we consider and amend the paragraphs in their natural order, yet recurrences are indulged; and they seem, on the whole, in that small body, to produce advantages overweighing their inconveniences.

To this natural order of beginning at the beginning, there is a single exception found in parliamentary usage. When a bill is taken up in committee, or on its second reading, they postpone the preamble till the other parts of the bill are gone through. The reason is, that on consideration of the body of the bill such alterations may therein be made as may also occasion the alteration of the preamble. *Scob., 50; 7 Grey, 431.*

On this head the following case occurred in the Senate, March 6, 1800: A resolution which had no preamble having been already amended by the House so that a few words only of the original remained in it, a motion was made to prefix a preamble, which having an aspect very different from the resolution, the mover intimated that he should afterwards propose a correspondent amendment in the body of the resolution. It was objected that a preamble could not be taken up till the body of the resolution is done with; but the preamble was received, because we are in fact through the body of the resolution; we have amended that as far as amendments have been offered, and, indeed, till little of the original is left. It is the

proper time, therefore, to consider a preamble; and whether the one offered be consistent with the resolution is for the House to determine. The mover, indeed, has intimated that he shall offer a subsequent proposition for the body of the resolution; but the House is not in possession of it; it remains in his breast, and may be withheld. The rules of the House can only operate on what is before them. The practice of the Senate, too, allows recurrences backward and forward for the purpose of amendment, not permitting amendments in a subsequent to preclude those in a prior part, or *e converso*.

[*In the Senate.*] *Rule XXIII.*

When a bill or resolution is accompanied by a preamble, the question shall first be put on the bill or resolution and then on the preamble, which may be withdrawn by a mover before an amendment of the same, or ordering of the yeas and nays; or it may be laid on the table without prejudice to the bill or resolution, and shall be a final disposition of such preamble.

When the committee is through the whole, a member moves that the committee may rise, and the chairman report the paper to the House, with or without amendments, as the case may be. *2 Hats.*, *289*, *292; Scob.*, *53; 2 Hats.*, *290; 8 Scob.*, *50.*

When a vote is once passed in a committee, it cannot be altered but by the House, their votes being binding on themselves. *1607*, *June 4.*

The committee may not erase, interline, or blot the bill itself; but must, in a paper by itself set down the amendments, stating the words which are to be inserted or omitted, *Scob.*, *50*, and where, by references to page, line, and word of the bill. *Scob.*, *50.*

SEC. XXVII.—REPORT OF COMMITTEE.

The chairman of the committee, standing in his place, informs the House that the committee to whom was referred such a bill, have, according to order, had the same under consideration, and have directed him to report the same without

any amendment, or with sundry amendments (as the case may be), which he is ready to do when the House pleases to receive it. And he or any other may move that it be now received; but the cry of "now, now," from the House, generally dispenses with the formality of a motion and question. He then reads the amendments, with the coherence in the bill, and opens the alterations and the reasons of the committee for such amendments, until he has gone through the whole. He then delivers it at the Clerk's table, where the amendments reported are read by the Clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, *52; Hakew.*, *148.*

[*In the Senate.*] *Rule XXVI—Clause 2.*

2. *All reports of committees and motions to discharge a committee from the consideration of the subject, and all subjects from which a committee shall be discharged, shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.*

The report being made, the committee is dissolved, and can act no more without a new power. *Scob.*, *51.* But it may be revived by a vote, and the same matter recommitted to them. *4 Grey*, *361.*

SEC. XXVIII.—BILL, RECOMMITMENT.

After a bill has been committed and reported, it ought not, in an ordinary course, to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew.*, *151.* If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole question is again before the committee, and a new resolution must be again moved, as if nothing had passed. *3 Hats.*, *131—note.*

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

A particular clause of a bill may be committed without the whole bill, *3 Hats., 131;* or so much of a paper to one and so much to another committee.

SEC. XXIX.—BILL, REPORTS TAKEN UP.

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the paragraphs have, on distinct questions, been agreed to *seriatim*, *5 Grey, 366; 6 Grey, 368; 8 Grey, 47, 104, 360; 1 Torbuck's Deb., 125; 3 Hats., 348*, no question needs be put on the whole report. *5 Grey, 381.*

On taking up a bill reported with amendments, the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on till the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem., 53.* When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill; as he does also if it has been reported without amendments; putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill shall be read a third time?

SEC. XXX.—QUASI-COMMITTEE.

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

[*In the Senate.*] *Rule XV—Clauses 1, 2.*

1. *All bills and joint resolutions which shall have received two readings shall first be considered by the Senate as in Committee of the Whole, after which they shall be reported to the Senate; and any amendments made in Committee of the*

Whole shall again be considered by the Senate, after which further amendments may be proposed.

2. *When a bill or resolution shall have been ordered to be read a third time, it shall not be in order to propose amendments, unless by unanimous consent, but it shall be in order at any time before the passage of any bill or resolution to move its commitment; and when the bill or resolution shall again be reported from the committee it shall be placed on the Calendar, and when again considered by the Senate it shall be as in Committee of the Whole.*

The proceeding of the Senate as in a Committee of the Whole, or in quasi-committee, is precisely as in a real Committee of the Whole, taking no question but on amendments. When through the whole, they consider the quasi-committee as risen, the House resumed without any motion, question, or resolution to that effect, and the President reports that "the House, acting as in a Committee of the Whole, have had under their consideration the bill entitled, &c., and have made sundry amendments, which he will now report to the House." The bill is then before them, as it would have been if reported from a committee, and the questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to the House to propose amendments to the body of the bill, and, when through, puts the question whether it shall be read a third time?

After progress in amending the bill in quasi-committee, a motion may be made to refer it to a special committee. If the motion prevails, it is equivalent in effect to the several votes, that the committee rise, the House resume itself, discharge the Committee of the Whole, and refer the bill to a special committee. In that case, the amendments already made fall. But if the motion fails, the quasi-committee stands *in statu quo*.

How far does this XVth rule subject the House, when in quasi-committee, to the laws which regulate the proceedings of Committees of the Whole? The particulars in which these

differ from proceedings in the House are the following: 1. In a committee every member may speak as often as he pleases. 2. The votes of a committee may be rejected or altered when reported to the House. 3. A committee, even of the whole, cannot refer any matter to another committee. 4. In a committee no previous question can be taken; the only means to avoid an improper discussion is to move that the committee rise; and if it be apprehended that the same discussion will be attempted on returning into committee, the House can discharge them, and proceed itself on the business, keeping down the improper discussion by the previous question. 5. A committee cannot punish a breach of order in the House or in the gallery. *9 Grey, 113.* It can only rise and report it to the House, who may proceed to punish. The first and second of these peculiarities attach to the quasi-committee of the Senate, as every day's practice proves, and it seems to be the only ones to which the XXVth rule meant to subject them; for it continues to be a House, and, therefore, though it acts in some respects as a committee, in others it preserves its character as a House. Thus (3) it is in the daily habit of referring its business to a special committee. 4. It admits of the previous question. If it did not, it would have no means of preventing an improper discussion; not being able, as a committee is, to avoid it by returning into the House, for the moment it would resume the same subject there, the XXVth rule declares it again a quasi-committee. 5. It would doubtless exercise its powers as a House on any breach of order. 6. It takes a question by yea and nay, as the House does. 7. It receives messages from the President and the other House. 8. In the midst of a debate it receives a motion to adjourn, and adjourns as a House, not as a committee.

SEC. XXXI.—BILL, SECOND READING IN THE HOUSE.

In Parliament, after the bill has been read a second time, if on the motion and question it be not committed, or if no proposition for commitment be made, the Speaker reads it by para-

graphs, pausing between each, but putting no question but on amendments proposed; but when through the whole, he puts the question whether it shall be read a third time, if it came from the other House; or, if originating with themselves, whether it shall be engrossed and read a third time? The Speaker reads sitting, but rises to put questions. The Clerk stands while he reads.

* But the Senate of the United States is so much in the habit of making many and material amendments at the third reading, that it has become the practice not to engross a bill till it has passed—an irregular and dangerous practice; because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate, has never been seen in Senate. In reducing numerous, difficult, and illegible amendments into the text, the Secretary may, with the most innocent intentions, commit errors which can never again be corrected.

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately, are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all they will have sufficient opportunities of giving it their veto. Its two last stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time? and, lastly, whether it shall pass? The first of these is usually the most interesting contest; because then the whole subject is new and engaging, and the minds of the members having not yet been declared by any trying vote the issue is the more doubtful. In this stage, therefore, is the main trial

**Under the present rules of the Senate (Rule XV, Clause 2) no measure can be amended after it has been ordered to be read a third time, unless by unanimous consent, but as matter of fact the engrossment is not made until the measure has finally passed.*

of strength between its friends and opponents, and it behooves every one to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass?

When the bill is engrossed, the title is to be indorsed on the back, and not within the bill. *Hakew, 250.*

SEC. XXXII.—READING PAPERS.

Where papers are laid before the House or referred to a committee, every member has a right to have them once read at the table before he can be compelled to vote on them; but it is a great though common error to suppose that he has a right, *toties quoties*, to have acts, journals, accounts, or papers on the table, read independently of the will of the House. The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put. *2 Hats., 117, 118.*

[*In the Senate.*] *Rule XI.*

When the reading of a paper is called for, and objected to, it shall be determined by a vote of the Senate, without debate.

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House. *Ib.*

For the same reason, a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended. *2 Grey, 227.*

A report of a committee of the Senate on a bill from the House of Representatives being under consideration: on motion that the report of the committee of the House of Representatives on the same bill be read in the Senate, it passed in the negative. *Feb. 28, 1793.*

Formerly, when papers were referred to a committee, they used to be first read; but of late only the titles, unless a member insists they shall be read, and then nobody can oppose it. *2 Hats., 117.*

SEC. XXXIII.—PRIVILEGED QUESTIONS.

It is no possession of a bill unless it be delivered to the Clerk to read, or the Speaker reads the title. *Lex. Parl., 274; Elysynge Mem., 85; Ord. House of Commons, 64.*

It is a general rule that the question first moved and seconded shall be first put. *Scob., 28, 22; 2 Hats., 81.* But this rule gives way to what may be called privileged questions; and the privileged questions are of different grades among themselves.

A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its will, and indefinitely. Yet this motion cannot be received after another question is actually put and while the House is engaged in voting.

[*In the Senate.*] *Rule XXII.*

The present rules specify the motions entitled to preference as follows:

When a question is pending, no motion shall be received but—

To adjourn.

To adjourn to a day certain, or that when the Senate adjourns it shall be to a day certain.

To take a recess.

To proceed to the consideration of executive business.

To lay on the table.

To postpone indefinitely.

To postpone to a day certain.

To commit.

To amend.

Which several motions shall have precedence as they stand arranged; and the motions relating to adjournment, to take a recess, to proceed to the consideration of executive business, to lay on the table, shall be decided without debate.

Rule IX.

Immediately after the consideration of cases not objected to upon the Calendar is completed, and not later than 2 o'clock, if there shall be no special orders for that time, the Calendar of General Orders shall be taken up and proceeded with in its order, beginning with the first subject on the Calendar next after the last subject disposed of in proceeding with the Calendar; and in such case the following motions shall be in order at any time as privileged motions, save as against a motion to adjourn, or to proceed to the consideration of executive business, or questions of privilege, to wit:

First. A motion to proceed to the consideration of an appropriation or revenue bill.

Second. A motion to proceed to the consideration of any other bill on the Calendar, which motion shall not be open to amendment.

Third. A motion to pass over the pending subject, which if carried shall have the effect to leave such subject without prejudice in its place on the Calendar.

Fourth. A motion to place such subject at the foot of the Calendar.

Each of the foregoing motions shall be decided without debate and shall have precedence in the order above named, and may be submitted as in the nature and with all the rights of questions of order.

Orders of the day take place of all other questions, except for adjournment—that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice.* The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the order of the day to be read, no further debate is permitted on the question which was before the House; for if the debate might proceed it might continue through the day and defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question, "Whether the House will now proceed to the orders of the day?" they must be read and proceeded on in the course in which they stand, *2 Hats., 83;* for priority of order gives priority of right, which can not be taken away but by another special order.

After these there are other privileged questions, which will require considerable explanation.

It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them. Such are, 1. The previous question. 2. To postpone indefinitely. 3. To adjourn a question to a definite day. 4. To lie on the table. 5. To commit. 6. To amend. The proper occasion for each of these questions should be understood.

1. When a proposition is moved which it is useless or inexpedient now to express or discuss, the previous question has been introduced for suppressing for that time the motion and its discussion. *3 Hats., 188, 189.*

2. But as the previous question gets rid of it only for that day, and the same proposition may recur the next day, if they wish to suppress it for the whole of that session, they postpone it indefinitely. *3 Hats., 183.* This quashes the proposition for that session, as an indefinite adjournment is a dissolution, or the continuance of a suit *sine die* is a discontinuance of it.

3. When a motion is made which it will be proper to act on, but information is wanted, or something more pressing claims the present time, the question or debate is adjourned to such day within the session as will answer the views of the House. *2 Hats.*, *81.* And those who have spoken before may not speak again when the adjourned debate is resumed. *2 Hats.*, *73.* Sometimes, however, this has been abusively used by adjourning it to a day beyond the session, to get rid of it altogether, as would be done by an indefinite postponement.

4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on their table. It may then be called for at any time.

5. If the proposition will want more amendment and digestion than the formalities of the House will conveniently admit, they refer it to a committee.

6. But if the proposition be well digested, and may need but few and simple amendments, and especially if these be of leading consequence, they then proceed to consider and amend it themselves.

The Senate, in their practice, vary from this regular gradation of forms. Their practice comparatively with that of Parliament stands thus:

FOR THE PARLIAMENTARY:	THE SENATE USES:
Postponement indefinite,	Postponement to a day beyond the session.
Adjournment,	Postponement to a day within the session.
Lying on the table,	Postponement indefinite. Lying on the table.

In their eighth rule (XXII), therefore, which declares that while a question is before the Senate no motion shall be received, unless it be for the previous question, or to postpone, commit, or amend the main question, the term postponement must be understood according to their broad use of it, and not in its parliamentary sense. Their rule, then, establishes as privileged questions, the previous question, postponement, commitment, and amendment.

But it may be asked: Have these questions any privilege among themselves? or are they so equal that the common principle of the "first moved first put" takes place among them? This will need explanation. Their competitions may be as follows:

1. Previous question and	postpone commit amend	
2. Postpone and previous	question commit amend	In the first, second, and third classes, and the first member of the fourth class, the rule "first moved first put" takes place.
3. Commit and previous	question postpone amend	
4. Amend and previous	question postpone commit	

In the first class, where the previous question is first moved, the effect is peculiar; for it not only prevents the after motion to postpone or commit from being put to question before it, but also from being put after it; for if the previous question be decided affirmatively, to wit, that the main question shall *now* be put, it would of course be against the decision to postpone or commit; and if it be decided negatively, to wit, that the main question shall not now be put, this puts the House out of possession of the main question, and consequently there is nothing before them to postpone or commit.

So that neither voting for nor against the previous question will enable the advocates for postponing or committing to get at their object. Whether it may be amended shall be examined hereafter.

Second class. If postponement be decided affirmatively, the proposition is removed from before the House, and consequently there is no ground for the previous question, commitment or amendment; but if decided negatively (that it shall not be postponed), the main question may then be suppressed by the previous question, or may be committed, or amended.

The third class is subject to the same observations as the second.

The fourth class. Amendment of the main question first moved, and afterwards the previous question, the question of amendment shall be first put.

Amendment and postponement competing, postponement is first put, as the equivalent proposition to adjourn the main question would be in Parliament. The reason is that the question for amendment is not suppressed by postponing or adjourning the main question, but remains before the House whenever the main question is resumed; and it might be that the occasion for other urgent business might go by, and be lost by length of debate on the amendment, if the House had it not in their power to postpone the whole subject.

Amendment and commitment. The question for committing, though last moved shall be first put; because, in truth, it facilitates and befriends the motion to amend. *Scobell* is express: "On motion to amend a bill, any one may notwithstanding move to commit it, and the question for commitment shall be first put." *Scob.*, *46*.

We have hitherto considered the case of two or more of the privileged questions contending for privilege between themselves, when both are moved on the original or main question; but now let us suppose one of them to be moved, not on the original primary question, but on the secondary one, *e. g.:*

Suppose a motion to postpone, commit, or amend the main question, and that it be moved to suppress that motion by putting a previous question on it. This is not allowed: because it would embarrass questions too much to allow them to be piled on one another several stories high; and the same result may be had in a more simple way—by deciding against the postponement, commitment, or amendment. *2 Hats.*, *81*, *2*, *3*, *4*.

Suppose a motion for the previous question, or commitment or amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question. 1. It would be absurd to postpone the previous question, commitment, or amendment, alone, and thus separate the appendage from its principal; yet it must be postponed separately from its original, if at all; because the eighth rule of Senate says that when a main question is before the House no motion shall be received but to commit, amend, or pre-question the original question, which is the parliamentary doctrine also. Therefore the motion to postpone the secondary motion for the previous question, or for committing or amending, can not be received. 2. This is a piling of questions one on another; which, to avoid embarrassment, is not allowed. 3. The same result may be had more simply by voting against the previous question, commitment, or amendment.

Suppose a commitment moved of a motion for the previous question, or to postpone or amend. The first, second, and third reasons, before stated, all hold good against this.

Suppose an amendment moved to a motion for the previous question. Answer: The previous question can not be amended. Parliamentary usage, as well as the ninth rule of the Senate, has fixed its form to be, "Shall the main question be now put?"—*i. e.*, at this instant; and as the present instant is but one, it can admit of no modification. To change it to to-morrow, or any other moment, is without example and without utility. But suppose a motion to amend a motion

for postponement, as to one day instead of another, or to a special instead of an indefinite time. The useful character of amendment gives it a privilege of attaching itself to a secondary and privileged motion: that is, we may amend a postponement of a main question. So, we may amend a commitment of a main question, as by adding, for example, "with instructions to inquire," &c. In like manner, if an amendment be moved to an amendment, it is admitted; but it would not be admitted in another degree, to wit, to amend an amendment to an amendment of a main question. This would lead to too much embarrassment. The line must be drawn somewhere, and usage has drawn it after the amendment to the amendment. The same result must be sought by deciding against the amendment to the amendment, and then moving it again as it was wished to be amended. In this form it becomes only an amendment to an amendment.

[*In the Senate.*] *Rule XXVI—Clause 1.*

1. *When motions are made for reference of a subject to a select committee, or to a standing committee, the question of reference to a standing committee shall be put first; and a motion simply to refer shall not be open to amendment, except to add instructions.*

[In filling a blank with a sum, the largest sum shall be first put to the question, by the thirteenth rule of the Senate,*] contrary to the rule of Parliament, which privileges the smallest sum and longest time. *5 Grey, 179; 2 Hats., 8, 83; 3 Hats., 132, 133.*] And this is considered to be not in the form of an amendment to the question, but as alternative or successive originals. In all cases of time or number, we must consider whether the larger comprehends the lesser, as in a question to what day a postponement shall be, the number of a committee, amount of a fine, term of an imprisonment, term of irredeemability of a loan, or the terminus in quem in any other case; then the question must begin a maximo. Or whether the lesser includes the greater, as in

* This rule has been dropped.

questions on the limitation of the rate of interest, on what day the session shall be closed by adjournment, on what day the next shall commence, when an act shall commence, or the terminus a quo in any other case where the question must begin a minimo; the object being not to begin at that extreme which, and more, being within every man's wish, no one could negative it, and yet, if he should vote in the affirmative, every question for more would be precluded; but at that extreme which would unite few, and then to advance or recede till you get to a number which will unite a bare majority. *3 Grey, 376, 384, 385.* "The fair question in this case is not that to which, and more, all will agree, but whether there shall be addition to the question." *1 Grey, 365.*

Another exception to the rule of priority is when a motion has been made to strike out, or agree to, a paragraph. Motions to amend it are to be put to the question before a vote is taken on striking out or agreeing to the whole paragraph.

But there are several questions which, being incidental to every one, will take place of every one, privileged or not; to wit, a question of order arising out of any other question must be decided before that question. *2 Hats., 88.*

[*In the Senate.*] *Rule XX.*

1. *A question of order may be raised at any stage of the proceedings, except when the Senate is dividing, and, unless submitted to the Senate, shall be decided by the Presiding Officer without debate, subject to an appeal to the Senate. When an appeal is taken, any subsequent question of order which may arise before the decision of such appeal shall be decided by the Presiding Officer without debate; and every appeal therefrom shall be decided at once, and without debate; and any appeal may be laid on the table without prejudice to the pending proposition, and thereupon shall be held as affirming the decision of the Presiding Officer.*

2. *The Presiding Officer may submit any question of order for the decision of the Senate.*

A matter of privilege arising out of any question, or from a quarrel between two members, or any other cause, supercedes the consideration of the original question, and must be first disposed of. *2 Hats.*, *88.*

Reading papers relative to the question before the House. This question must be put before the principal one. *2 Hats.*, *88.*

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and cannot be withdrawn without leave, the very terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

SEC. XXXIV.—THE PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question, "Whether that question (called the main question) shall now be put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew.*, *28*; *4 Grey*, *27.*

The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" and if the nays prevail, the main question shall not then be put.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. *2 Hats.*, *80.* Sir Henry Vane introduced it. *2 Grey*, *113*, *114*; *3 Grey*, *384.* When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over, *4 Grey*, *43*, but now for that day and no longer. *2 Grey*, *113*, *114.*

Before the question "Whether the main question shall now be put?" any person might formerly have spoken to the main

question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew.*, *28.*

The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, &c., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed; and in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been extended abusively to other cases; but in these it has been an embarrassing procedure; its uses would be as well answered by other more simple parliamentary forms, and therefore it should not be favored, but restricted within as narrow limits as possible.

Whether a main question may be amended after the previous question on it has been moved and seconded? *2 Hats.*, *88*, says, if the previous question has been moved and seconded, and also proposed from the Chair, (by which he means stated by the Speaker for debate,) it has been doubted whether an amendment can be admitted to the main question. He thinks it may, after the previous question moved and seconded; but not after it has been proposed from the Chair. In this case, he thinks the friends to the amendment must vote that the main question be not now put; and then move their amended question, which being made new by the amendment, is no longer the same which has been just suppressed, and therefore may be proposed as a new one. But this proceeding certainly endangers the main question, by dividing its friends, some of whom may choose it unamended, rather than lose it altogether; while others of them may vote, as Hatsell advises, that the main question be not now put, with a view to move it again in an amended form. The enemies of the main question, by this maneuver to the previous question, get the enemies to the amendment added to them on the first vote, and throw the friends of the main question under the embar-

rassment of rallying again as they can. To support this opinion, too, he makes the deciding circumstance, whether an amendment may or may not be made, to be, that the previous question has been proposed from the Chair. But, as the rule is that the House is in possession of a question as soon as it is moved and seconded, it cannot be more than possessed of it by its being also proposed from the Chair. It may be said, indeed, that the object of the previous question being to get rid of a question, which it is not expedient should be discussed, this object may be defeated by moving to amend; and, in the discussion of that motion, involving the subject of the main question. But so may the object of the previous question be defeated, by moving the amended question, as Mr. Hatsell proposes, after the decision against putting the original question. He acknowledges, too, that the practice has been to admit previous amendments, and only cites a few late instances to the contrary. On the whole, I should think it best to decide it ab inconvenienti, to wit: Which is most inconvenient, to put it in the power of one side of the House to defeat a proposition by hastily moving the previous question, and thus forcing the main question to be put unamended; or to put it in the power of the other side to force on, incidentally at least, a discussion which would be better avoided? Perhaps the last is the least inconvenience; inasmuch as the Speaker, by confining the discussion rigorously to the amendment only, may prevent their going into the main question; and inasmuch also as so great a proportion of the cases in which the previous question is called for, are fair and proper subjects of public discussion, and ought not to be obstructed by a formality introduced for questions of a peculiar character.

SEC. XXXV.—AMENDMENTS.

On an amendment being moved, a member who has spoken to the main question may speak again to the amendment. *Scob.*, *23*.

If an amendment be proposed inconsistent with one already

agreed to, it is a fit ground for its rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress, instead of subserving, the legislative will.

Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition, by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. *2 Hats., 79; 4, 82, 84.* A new bill may be ingrafted, by way of amendment, on the words "Be it enacted," &c. *1 Grey, 190, 192.*

If it be proposed to amend by leaving out certain words, it may be moved, as an amendment to this amendment, to leave out a part of the words of the amendment, which is equivalent to leaving them in the bill. *2 Hats., 80, 9.* The parliamentary question is, always, whether the words shall stand part of the bill.

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it cannot be amended afterward in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments, before the question is put for striking it out. If on the question it be retained, it cannot be amended afterward, because a vote against striking out is equivalent to a vote agreeing to it in that form.

When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is first to read the whole passage to be amended as it stands at present, then the words proposed to be struck out, next those to be inserted, and lastly the whole passage as it will be when

amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If that be lost, it may be moved to insert others. *2 Hats.*, *80*, *7*.

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words, and to insert others of a tenor entirely different from those first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, because to strike out and insert A is one proposition. To strike out and insert B is a different proposition. And to strike out and insert nothing is still different. And the rejection of one proposition does not preclude the offering a different one. Nor would it change the case were the first motion divided by putting the question first on striking out, and that negatived; for, as putting the whole motion to the question at once would not have precluded, the putting the half of it cannot do it.*

[*In the Senate.*] *Rule XVIII.*

If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition; nor shall it prevent a motion simply to strike out; nor shall the rejection of a motion to strike out prevent a motion to strike out and insert. But pending a motion to strike out and insert,

*In the case of a division of the question, and a decision against striking out, I advance doubtingly the opinion here expressed. I find no authority either way, and I know it may be viewed under a different aspect. It may be thought that, having decided separately not to strike out the passage, the same question for striking out cannot be put over again, though with a view to a different insertion. Still I think it more reasonable and convenient to consider the striking out and insertion as forming one proposition, but should readily yield to any evidence that the contrary is the practice in Parliament.

the part to be stricken out and the part to be inserted shall each be regarded for the purpose of amendment as a question; and motions to amend the part to be stricken out shall have precedence.

But if it had been carried affirmatively to strike out the words and to insert A, it could not afterward be permitted to strike out A and insert B. The mover of B should have notified, while the insertion of A was under debate, that he would move to insert B; in which case those who preferred it would join in rejecting A.

After A is inserted, however, it may be moved to strike out a portion of the original paragraph, comprehending A, provided the coherence to be struck out be so substantial as to make this effectively a different proposition; for then it is resolved into the common case of striking out a paragraph after amending it. Nor does anything forbid a new insertion, instead of A and its coherence.

In Senate, January 25, 1798, a motion to postpone until the second Tuesday in February some amendments proposed to the Constitution; the words "until the second Tuesday in February" were struck out by way of amendment. Then it was moved to add, "until the first day of June." Objected that it was not in order, as the question should be first put on the longest time; therefore, after a shorter time decided against, a longer cannot be put to question. It was answered that this rule takes place only in filling blanks for time. But when a specific time stands part of a motion, that may be struck out as well as any other part of the motion; and when struck out, a motion may be received to insert any other. In fact, it is not until they are struck out, and a blank for the time thereby produced, that the rule can begin to operate, by receiving all the propositions for different times, and putting the questions successively on the longest. Otherwise it would be in the power of the mover by inserting originally a short time, to preclude the possibility of a longer; for till the short time is struck out, you cannot insert a

longer; and if, after it is struck out, you cannot do it, then it cannot be done at all. Suppose the first motion had been made to amend by striking out "the second Tuesday in February," and inserting instead thereof "the first of June," it would have been regular, then, to divide the question, by proposing first the question to strike out and then that to insert. Now this is precisely the effect of the present proceeding; only, instead of one motion and two questions, there are two motions and two questions to effect it—the motion being divided as well as the question.

When the matter contained in two bills might be better put into one, the manner is to reject the one, and incorporate its matter into another bill by way of amendment. So if the matter of one bill would be better distributed into two, any part may be struck out by way of amendment, and put into a new bill. If a section is to be transposed, a question must be put on striking it out where it stands and another for inserting it in the place desired.

A bill passed by the one House with blanks. These may be filled up by the other by way of amendments, returned to the first as such, and passed. *3 Hats., 83.*

The number prefixed to the section of a bill, being merely a marginal indication, and no part of the text of the bill, the Clerk regulates that—the House or committee is only to amend the text.

SEC. XXXVI.—DIVISION OF THE QUESTION.

If a question contain more parts than one, it may be divided into two or more questions. *Mem. in Hakew., 29.* But not as the right of an individual member, but with the consent of the House. For who is to decide whether a question is complicated or not—where it is complicated—into how many propositions it may be divided? The fact is, that the only mode of separating a complicated question is by moving amendments to it; and these must be decided by the House, on a question, unless the House orders it to be divided; as, on the question,

or commitment), remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded, no other can be received except it be a privileged one.

SEC. XXXVIII.—EQUIVALENT QUESTIONS.

If, on a question for rejection, a bill be retained, it passes, of course, to its next reading. *Hakew.*, *141; Scob.*, *42*. And a question for a second reading determined negatively, is a rejection without further question. *4 Grey*, *149*. And see *Elsynge's Memor.*, *42*, in what cases questions are to be taken for rejection.

Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. *4 Grey*, *157*. Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit, to adhere.

A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this a vote of disagreement, or must the question on disagreement be expressly voted? The question respecting amendments from another House are—1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere.

prescribe; and a division of the question into its simplest elements was called for. It was divided into four parts, the 4th taking in the words "conforming himself," &c. It was objected that the words "any alien merchant," could not be separated from their modifying words, "conforming," &c., because these words, if left by themselves, contain no substantive idea, will make no sense. But admitting that the divisions of a paragraph into separate questions must be so made as that each part may stand by itself, yet the House having, on the question, retained the two first divisions, the words "any alien merchant" may be struck out, and their modifying words will then attach themselves to the preceding description of persons, and become a modification of that description.

When a question is divided, after the question on the 1st member, the 2d is open to debate and amendment; because it is a known rule that a person may rise and speak at any time before the question has been completely decided, by putting the negative as well as affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put. See *Execut. Jour.*, *June 25, 1795*. The same decision by President Adams.

SEC. XXXVII.—COEXISTING QUESTIONS.

It may be asked whether the House can be in possession of two motions or propositions at the same time? so that, one of them being decided, the other goes to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the House, and does not stand *ipso facto* before them at their next meeting, but must come forward in the usual way. So, when it is interrupted by the order of the day. Such other privileged questions also as dispose of the main question (*e. g.*, the previous question, postponement,

or commitment), remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded, no other can be received except it be a privileged one.

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Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. *4 Grey*, *157.* Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit, to adhere.

A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this a vote of disagreement, or must the question on disagreement be expressly voted? The question respecting amendments from another House are—1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere.

Either of these concludes the other necessarily, for the positive of either is exactly the equivalent to the negative of the other, and no other alternative remains. On either motion amendments to the amendment may be proposed; *e. g.*, if it be moved to disagree, those who are for the amendment have a right to propose amendments, and to make it as perfect as they can, before the question of disagreeing is put.

3d. To recede. — You may then either insist or adhere.
4th. To insist. — You may then either recede or adhere.
5th. To adhere. — You may then either recede or insist.

Consequently the negative of these is not equivalent to a positive vote, the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

SEC. XXXIX.—THE QUESTION.

The question is to be put first on the affirmative, and then on the negative side.

After the Speaker has put the affirmative part of the question, any member who has not spoken before to the question may rise and speak before the negative be put; because it is no full question till the negative part be put. *Scob.*, *23; 2 Hats.*, *73.*

But in small matters, and which are of course, such as receiving petitions, reports, withdrawing motions, reading papers, &c., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does

not give them the trouble of putting the question formally. *Scob.*, *22; 2 Hats.*, *79*, *2*, *87; 5 Grey*, *129; 9 Grey*, *301.*

SEC. XL.—BILLS, THIRD READING.

To prevent bills from being passed by surprise, the House, by a standing order, directs that they shall not be put on their passage before a fixed hour, naming one at which the house is commonly full. *Hakew.*, *153.*

The usage of the Senate is, not to put bills on their passage till noon.

A bill reported and passed to the third reading, cannot on that day be read the third time and passed; because this would be to pass on two readings in the same day.

At the third reading the Clerk reads the bill and delivers it to the Speaker, who states the title, that it is the third time of reading the bill, and that the question will be whether it shall pass. Formerly the Speaker, or those who prepared a bill, prepared also a breviate or summary statement of its contents, which the Speaker read when he declared the state of the bill, at the several readings. Sometimes, however, he read the bill itself, especially on its passage. *Hakew.*, *136*, *137*, *153; Coke*, *22*, *115.* Latterly, instead of this, he, at the third reading, states the whole contents of the bill verbatim, only, instead of reading the formal parts, "Be it enacted," &c., he states that "preamble recites so and so—the 1st section enacts that, &c.; the 2d section enacts," &c.

But in the Senate of the United States, both of these formalities are dispensed with; the breviate presenting but an imperfect view of the bill, and being capable of being made to present a false one; and the full statement being a useless waste of time, immediately after a full reading by the Clerk, and especially as every member has a printed copy in his hand.

A bill on the third reading is not to be committed for the matter or body thereof, but to receive some particular clause or proviso, it hath been sometimes suffered, but as a thing

very unusual. *Hakew.*, *156*. Thus, *27 El.*, *1584*, a bill was committed on the third reading, having been formerly committed on the second, but is declared not usual. *D'Ewes*, *337*, *col. 2; 414*, *col. 2*.

When an essential provision has been omitted, rather than erase the bill and render it suspicious, they add a clause on a separate paper, engrossed and called a rider, which is read and put to the question three times. *Elsynge's Memo.*, *59; 6 Grey*, *335; 1 Blackst.*, *183*. For examples of riders, see *3 Hats.*, *121*, *122*, *124*, *156*. Every one is at liberty to bring in a rider without asking leave. *10 Grey*, *52*.

It is laid down, as a general rule, that amendments proposed at the second reading shall be twice read, and those proposed at the third reading thrice read; as also all amendments from the other House. *Town.*, *col. 19*, *23*, *24*, *25*, *26*, *27*, *28*.

It is with great and almost invincible reluctance that amendments are admitted at this reading, which occasion erasures or interlineations. Sometimes a proviso has been cut off from a bill; sometimes erased. *9 Grey*, *513*.

This is the proper stage for filling up blanks; for if filled up before, and now altered by erasure, it would be peculiarly unsafe.

At this reading the bill is debated afresh, and for the most part is more spoken to at this time than on any of the former readings. *Hakew.*, *153*.

The debate on the question whether it should be read a third time, has discovered to its friends and opponents the arguments on which each side relies, and which of these appear to have influence with the House; they have had time to meet them with new arguments, and to put their old ones into new shapes. The former vote has tried the strength of the first opinion, and furnished grounds to estimate the issue; and the question now offered for its passage is the last occasion which is ever to be offered for carrying or rejecting it.

When the debate is ended, the Speaker, holding the bill in his hand, puts the question for its passage, by saying, "Gen-

tlemen, all you who are of opinion that this bill shall pass, say aye;" and after the answer of the ayes, "All those of the contrary opinion, say no." *Hakew.*, *154*.

After the bill is passed, there can be no further alteration of it in any point. *Hakew.*, *159*.

SEC. XLI.—DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House. But if he be not himself satisfied which voice is the greater, or if before any other member comes into the House, or before any new motion made (for it is too late after that), any member shall arise and declare himself dissatisfied with the Speaker's decision, then the Speaker is to divide the House. *Scob.*, *24; 2 Hats.*, *140*.

When the House of Commons is divided, the one party goes forth, and the other remains in the House. This has made it important which go forth and which remain; because the latter gain all the indolent, the indifferent, and inattentive. Their general rule, therefore, is that those who give their vote for the preservation of the orders of the House shall stay in, and those who are for introducing any new matter or alteration, or proceeding contrary to the established course, are to go out. But this rule is subject to many exceptions and modifications. *2 Hats.*, *134; 1 Rush.*, *p. 3*, *fol. 92; Scob.*, *43*, *52; Co.*, *12*, *116; D'Ewes*, *505*, *col. 1; Mem. in Hakew.*, *25*, *29;* as will appear by the following statement of who go forth:

Petition that it be received *	Ayes.
Read	
Lie on the table	Noes.
Rejected after refusal to lie on table	
Referred to a committee, or further proceeding	Ayes.

* Noes. 9 Grey, 365.

Bill, that it be brought in	Ayes.	
Read first or second time		
Engrossed or read third time		
Proceeding on every other stage		
Committed		
To Committee of the Whole	Noes.	
To a select committee	Ayes.	
Report of bill to lie on table	Noes.	
Be *now* read	Ayes.	
Be taken into consideration three months hence	30, P. J. 251	
Amendments to be read a second time	Noes.	
Clause offered on report of bill be read second time	Ayes.	
For receiving a clause		334.
With amendments be engrossed		395.
That a bill be *now* read a third time	Noes.	398.
Receive a rider		260.
Pass	Ayes.	259.
Be printed		
Committees. That A take the chair	Noes.	291.
To agree to the whole or any part of report		
That the House do *now* resolve into committee		
Speaker. That he now leave the chair, after order to go into committee		
That he issue warrant for a new writ		
Member. That none be absent without leave		
Witness. That he be further examined	Ayes.	344.
Previous question	Noes.	
Blanks. That they be filled with the largest sum	Ayes.	
Amendments. That words stand part of		
Lords. That their amendment be read a second time	Noes.	

Messenger be received	Ayes.
Orders of day to be now read, if before 2 o'clock	Ayes.
If after 2 o'clock	Noes.
Adjournment. Till the next sitting day, if before 4 o'clock	Ayes.
If after 4 o'clock	Noes.
Over a sitting day (unless a previous resolution)	Ayes.
Over the 30th of January	Noes.
For sitting on Sunday, or any other day not being a sitting day	Ayes.

The one party being gone forth, the Speaker names two tellers from the affirmative and two from the negative side, who first count those sitting in the House and report the number to the Speaker. Then they place themselves within the door, two on each side, and count those who went forth as they come in, and report the number to the Speaker. *Mem. in Hakew.*, *26*.

A mistake in the report of the tellers may be rectified after the report made. *2 Hats.*, *145*, *note*.

But in both Houses of Congress all these intricacies are avoided. The ayes first rise, and are counted standing in their places by the President or Speaker. Then they sit, and the noes rise and are counted in like manner.

In Senate, if they be equally divided, the Vice-President announces his opinion, which decides.

The Constitution, however, has directed that "the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal." And again: that in cases of reconsidering a bill disapproved by the President and returned with his objections, "the votes of both Houses shall be determined by yeas and nays, and the names of persons voting for and against the bill shall be entered on the journals of each House respectively.

When it is proposed to take the vote by yeas and nays, the President or Speaker states that "the question is whether, *e. g.*, the bill shall pass—that it is proposed that the yeas and nays shall be entered on the journal. Those, therefore, who desire it, will rise." If he finds and declares that one-fifth have risen, he then states that "those who are of opinion that the bill shall pass are to answer in the affirmative; those of the contrary opinion in the negative." The Clerk then calls over the names alphabetically, notes the yea or nay of each, and gives the list to the President or Speaker, who declares the result. In the Senate, if there be an equal division, the Secretary calls on the Vice-President and notes his affirmative or negative, which becomes the decision of the House.

[*In the Senate.*] *Rule XII—Clause 1.*

1. When the yeas and nays are ordered, the names of Senators shall be called alphabetically; and each Senator shall, without debate, declare his assent or dissent to the question, unless excused by the Senate; and no Senator shall be permitted to vote after the decision shall have been announced by the Presiding Officer, but may for sufficient reasons, with unanimous consent, change or withdraw his vote. No motion to suspend this rule shall be in order, nor shall the Presiding Officer entertain any request to suspend it by unanimous consent.

In the House of Commons, every member must give his vote the one way or the other, *Scob.*, *24*, as it is not permitted to any one to withdraw who is in the House when the question is put, nor is any one to be told in the division who was not in when the question was put. *2 Hats.*, *140*.

This last position is always true when the vote is by yeas and nays; where the negative as well as affirmative of the question is stated by the President at the same time, and the vote of both sides begins and proceeds *pari passu*. It is true also when the question is put in the usual way, if the negative has also been put; but if it has not, the member entering, or any other member may speak, and even propose amend-

ments, by which the debate may be opened again, and the question be greatly deferred. And as some who have answered ay may have been changed by the new arguments, the affirmative must be put over again. If, then, the member entering may, by speaking a few words, occasion a repetition of a question, it would be useless to deny it on his simple call for it.

While the House is telling, no member may speak or move out of his place; for if any mistake be suspected, it must be told again. *Mem. in Hakew.*, *26; 2 Hats.*, *143.*

If any difficulty arises in point of order during the division, the Speaker is to decide peremptorily, subject to the future censure of the House if irregular. He sometimes permits old experienced members to assist him with their advice, which they do sitting in their seats, covered, to avoid the appearance of debate; but this can only be with the Speaker's leave, else the division might last several hours. *2 Hats.*, *143.*

The voice of the majority decides; for the *lex majoris partis* is the law of all councils, elections, &c., where not otherwise expressly provided. *Hakew.*, *93.* But if the House be equally divided, *semper presumatur pro negante;* that is, the former law is not to be changed but by a majority. *Towns.*, *col. 134.*

But in the Senate of the United States, the Vice-President decides when the House is divided. *Const. U. S.*, *I*, *3.*

When from counting the House on a division it appears that there is not a quorum, the matter continues exactly in the state in which it was before the division, and must be resumed at that point on any future day. *2 Hats.*, *126.*

1606, May 1, on a question whether a member having said yea may afterwards sit and change his opinion, a precedent was remembered by the Speaker, of Mr. Morris, attorney of the wards, in *39 Eliz.*, who in like case changed his opinion. *Mem. in Hakew.*, *27.*

SEC. XLII.—TITLES.

After the bill has passed, and not before, the title may be amended, and is to be fixed by a question; and the bill is then sent to the other House.

SEC. XLIII.—RECONSIDERATION.

1798, Jan. A bill on its second reading being amended, and on the question whether it shall be read a third time negatived, was restored by a decision to reconsider that question. Here the votes of negative and reconsideration, like positive and negative quantities in equation, destroy one another, and are as if they were expunged from the journals. Consequently the bill is open for amendment, just so far as it was the moment preceding the question for the third reading; that is to say, all parts of the bill are open for amendment except those on which votes have been already taken in its present stage. So, also, it may be recommitted.

[*In the Senate.*] *Rule XIII.*

1. *When a question has been decided by the Senate, any Senator voting with the prevailing side may, on the same day or on either of the next two days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent. Every motion to reconsider shall be decided by a majority vote, and may be laid on the table without affecting the question in reference to which the same is made, which shall be a final disposition of the motion.*

2. *When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and*

without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

*The rule permitting a reconsideration of a question affixing to it no limitation of time or circumstance, it may be asked whether there is no limitation? If, after the vote, the paper on which it is passed has been parted with, there can be no reconsideration; as if a vote has been for the passage of a bill, and the bill has been sent to the other House. But where the paper remains, as on a bill rejected; when, or under what circumstances, does it cease to be susceptible of reconsideration? This remains to be settled; unless a sense that the right of reconsideration is a right to waste the time of the House in repeated agitations of the same question, so that it shall never know when a question is done with, should induce them to reform this anomalous proceeding.

In Parliament a question once carried cannot be questioned again at the same session, but must stand as the judgment of the House. *Towns., col. 67; Mem. in Hakew., 33.* And a bill once rejected, another of the same substance cannot be brought in again the same session. *Hakew., 158; 6 Grey, 392.* But this does not extend to prevent putting the same question in different stages of a bill; because every stage of a bill submits the whole and every part of it to the opinion of the House, as open for amendment, either by insertion or omission, though the same amendment has been accepted or rejected in a former stage. So in reports of committees, *e. g.*, report of an address, the same question is before the House, and open for free discussion. *Towns., col. 26; 2 Hats., 98, 100, 101.* So orders of the House, or instructions to committees, may be discharged. So a bill, begun in one House, and sent to the other, and there rejected, may be renewed again in that other, passed and sent back. *Ib., 92; 3 Hats., 161.* Or if, instead of being rejected, they read it once and lay it aside or amend it, and put it off a month, they may order in another

*The rule now fixes a limitation.

to the same effect, with the same or a different title. *Hakew.*, *97*, *98*.

Divers expedients are used to correct the effects of this rule; as, by passing an explanatory act, if anything has been omitted or ill expressed, *3 Hats.*, *278*, or an act to enforce, and make more effectual an act, &c., or to rectify mistakes in an act, &c., or a committee on one bill may be instructed to receive a clause to rectify the mistakes of another. Thus, June 24, 1685, a clause was inserted in a bill for rectifying a mistake committed by a clerk in engrossing a bill of supply. *2 Hats.*, *194*, *6*. Or the session may be closed for one, two, three, or more days, and a new one commenced. But then all matters depending must be finished, or they fall, and are to begin de novo. *2 Hats.*, *94*, *98*. Or a part of the subject may be taken up by another bill, or taken up in a different way. *6 Grey*, *304*, *316*.

And in cases of the last magnitude, this rule has not been so strictly and verbally observed as to stop indispensable proceedings altogether. *2 Hats.*, *92*, *98*. Thus when the address on the preliminaries of peace in 1782 had been lost by a majority of one, on account of the importance of the question, and smallness of the majority, the same question in substance, though with some words not in the first, and which might change the opinion of some members, was brought on again and carried, as the motives for it were thought to outweigh the objection of form. *2 Hats.*, *99*, *100*.

A second bill may be passed to continue an act of the same session, or to enlarge the time limited for its execution. *2 Hats.*, *95*, *98*. This is not in contradiction to the first act.

SEC. XLIV.—BILLS SENT TO THE OTHER HOUSE.

A bill from the other House is sometimes ordered to lie on the table. *2 Hats.*, *97*.

When bills, passed in one House and sent to the other, are grounded on special facts requiring proof, it is usual, either

by message or at a conference, to ask the grounds and evidence; and this evidence, whether arising out of papers, or from the examination of witnesses, is immediately communicated. *3 Hats., 48.*

[*In the Senate.*] *Rule XXV.*

A Committee on Engrossed Bills, to consist of three Senators, which shall examine all bills, amendments, and joint resolutions before they go out of the possession of the Senate.

SEC. XLV.—AMENDMENTS BETWEEN THE HOUSES.

When either House, *e. g.*, the House of Commons, send a bill to the other, the other may pass it with amendments. The regular progression in this case is, that the Commons disagree to the amendment; the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question open. But the first adherence by either renders it necessary for the other to recede or adhere also; when the matter is usually suffered to fall. *10 Grey, 148.* Latterly, however, there are instances of their having gone to a second adherence. There must be an absolute conclusion of the subject somewhere, or otherwise transactions between the Houses would become endless. *3 Hats., 268, 270.* The term of insisting, we are told by Sir John Trevor, was then (1679) newly introduced into parliamentary usage, by the Lords. *7 Grey, 94.* It was certainly a happy innovation, as it multiplies the opportunities of trying modifications which may bring the Houses to a concurrence. Either House, however, is free to pass over the term of insisting, and to adhere in the first instance; *10 Grey, 146;* but it is not respectful to the other. In the ordinary parliamentary course, there are two free conferences, at least, before an adherence. *10 Grey, 147.*

Either House may recede from its amendment and agree to the bill; or recede from their disagreement to the amend-

ment, and agree to the same absolutely, or with an amendment; for here the disagreement and receding destroy one another, and the subject stands as before the disagreement. *Elysnge, 23, 27; 9 Grey, 476.*

But the House cannot recede from or insist on its own amendment, with an amendment; for the same reason that it cannot send to the other House an amendment to its own act after it has passed the act. They may modify an amendment from the other House by ingrafting an amendment on it, because they have never assented to it; but they cannot amend their own amendment, because they have, on the question, passed it in that form. *9 Grey, 363; 10 Grey, 240.* In Senate, March 29, 1798. Nor where one House has adhered to their amendment, and the other agrees with an amendment, can the first House depart from the form which they have fixed by an adherence.

In the case of a money bill, the Lords' proposed amendments, become, by delay, confessedly necessary. The Commons, however, refused them, as infringing on their privilege as to money bills; but they offered themselves to add to the bill a proviso to the same effect, which had no coherence with the Lords' amendments; and urged that it was an expedient warranted by precedent, and not unparliamentary in a case become impracticable, and irremediable in any other way. *3 Hats., 256, 266, 270, 271.* But the Lords refused, and the bill was lost. *1 Chand., 288.* A like case, *1 Chand., 311.* So the Commons resolved that it is unparliamentary to strike out, at a conference, anything in a bill which hath been agreed and passed by both Houses. *6 Grey, 274; 1 Chand., 312.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree.

A bill originating in one House is passed by the other with an amendment.

The originating House agrees to their amendment with an amendment. The other may agree to their amendment with an amendment, that being only in the 2d and not the 3d

degree; for, as to the amending House, the first amendment with which they passed the bill is a part of its text; it is the only text they have agreed to. The amendment to that text by the originating House, therefore, is only in the 1st degree, and the amendment to that again by the amending House is only in the 2d, to wit, an amendment to an amendment, and so admissible. Just so, when, on a bill from the originating House, the other, at its second reading, makes an amendment; on the third reading this amendment is become the text of the bill, and if an amendment to it be moved, an amendment to that amendment may also be moved, as being only in the 2d degree.

SEC. XLVI.—CONFERENCES.

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is possessed of the papers. *3 Hats., 31; 1 Grey, 425.*

Conferences may be either simple or free. At a conference simply, written reasons are prepared by the House asking it, and they are read and delivered, without debate, to the managers of the other House at the conference, but are not then to be answered. *4 Grey, 144.* The other House then, if satisfied, vote the reasons satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory and ask a conference on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. *3 Grey, 183.* They are meant chiefly to record the justification of each House to the nation at large, and to posterity, and in proof that the miscarriage of a necessary measure is not imputable to them. *3 Grey, 255.* At free conferences, the managers discuss, viva voce and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party

reports in writing to their respective Houses the substance of what is said on both sides, and it is entered in their journals. *9 Grey, 220; 3 Hats., 280.* This report cannot be amended or altered, as that of a committee may be. *Journal Senate, May 24, 1796.*

A conference may be asked, before the House asking it has come to a resolution of disagreement, insisting or adhering.* *3 Hats., 269, 341.* In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, "it is held vain, and below the wisdom of Parliament, to reason or argue against fixed resolutions, and upon terms of impossibility to persuade." *3 Hats., 226.* So the Commons say, "an adherence is never delivered at a free conference, which implies debate." *10 Grey, 137.* And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons that nothing was more parliamentary than to proceed with free conferences after adhering, *3 Hats., 269,* and we do in fact see instances of conference, or of free conference, asked after the resolution of disagreeing, *3 Hats., 251, 253, 260, 286, 291, 316, 349;* of insisting, *ib., 280, 296, 299, 319, 322, 355;* of adhering, *269, 270, 283, 300;* and even of a second or final adherence. *3 Hats., 270.* And in all cases of conference asked after a vote of disagreement, &c., the conferees of the House asking it are to leave the papers with the conferees

* Several instances have arisen in the Senate where a conference has been asked immediately upon the passage of a House bill with amendments, and before the House had come to a disagreeing vote upon the Senate amendments.

See Senate Journal, second session Forty-second Congress, pages 851 and 1003; Senate Journal, third session Forty-fifth Congress, page 433; Senate Journal, first session Forty-eighth Congress, pages 628 and 643. See also Congressional Record, Vol. 15, Part 4, pages 3975 and 4100 (first session Forty-eighth Congress), where the principle involved was discussed.

of the other; and in one case where they refused to receive them, they were left on the table in the conference chamber. *Ib.*, *271*, *317*, *323*, *354*; *10 Grey*, *146*.

After a free conference, the usage is to proceed with free conferences, and not to return again to a conference. *3 Hats.*, *270*; *9 Grey*, *229*.

After a conference denied, a free conference may be asked. *1 Grey*, *45*.

When a conference is asked, the subject of it must be expressed, or the conference not agreed to. *Ord. H. Com.*, *89*; *1 Grey*, *425*; *7 Grey*, *31*. They are sometimes asked to inquire concerning an offense or default of a member of the other House. *6 Grey*, *181*; *1 Chand.*, *304*. Or the failure of the other House to present to the King a bill passed by both Houses. *8 Grey*, *302*. Or on information received, and relating to the safety of the nation. *10 Grey*, *171*. Or when the methods of Parliament are thought by the one House to have been departed from by the other, a conference is asked to come to a right understanding thereon. *10 Grey*, *148*. So when an unparliamentary message has been sent, instead of answering it, they ask a conference. *3 Grey*, *155*. Formerly an address or articles of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. *6 Grey*, *128*, *300*, *387*; *7 Grey*, *80*; *8 Grey*, *210*, *255*; *1 Torbuck's Deb.*, *278*; *10 Grey*, *293*; *1 Chandler*, *49*, *287*. But this is not the modern practice. *8 Grey*, *255*.

A conference has been asked after the first reading of a bill. *1 Grey*, *194*. This is a singular instance.

SEC. XLVII.—MESSAGES.

Messages between the Houses are to be sent only while both Houses are sitting. *3 Hats.*, *15*. They are received during a debate without adjourning the debate. *3 Hats.*, *22*.

In Senate the messengers are introduced in any state of business, except, 1. While a question is being put. 2. While the yeas and nays are being called. 3. While the ballots are being counted. The first case is short; the second and third are cases where any interruption might occasion errors difficult to be corrected. So arranged June 15, 1798.

[*In the Senate.*] *Rule XXVIII.*

1. *Messages from the President of the United States or from the House of Representatives may be received at any stage of proceedings, except while the Senate is dividing, or while the Journal is being read, or while a question of order or a motion to adjourn is pending.*

2. *Messages shall be sent to the House of Representatives by the Secretary, who shall previously certify the determination of the Senate upon all bills, joint resolutions, and other resolutions which may be communicated to the House, or in which its concurrence may be requested; and the Secretary shall also certify and deliver to the President of the United States all resolutions and other communications which may be directed to him by the Senate.*

In the House of Representatives, as in Parliament, if the House be in committee when a messenger attends, the Speaker takes the chair to receive the message, and then quits it to return into committee, without any question or interruption. *4 Grey, 226.*

Messengers are not saluted by the members, but by the Speaker for the House. *2 Grey, 253, 274.*

If messengers commit an error in delivering their message, they may be admitted or called in to correct their message. *4 Grey, 41.* Accordingly, March 13, 1800, the Senate having made two amendments to a bill from the House of Representatives, their Secretary, by mistake, delivered one only; which being inadmissible by itself, that House disagreed, and notified the Senate of their disagreement. This produced a discovery of the mistake. The Secretary was sent to the other House

to correct his mistake, the correction was received, and the two amendments acted on de novo.

As soon as the messenger, who has brought bills from the other House, has retired, the Speaker holds the bills in his hand, and acquaints the House "that the other House have by their messenger sent certain bills," and then reads their titles, and delivers them to the Clerk to be safely kept till they shall be called for to be read. *Hakew.*, *178.*

It is not the usage for one House to inform the other by what numbers a bill is passed. *10 Grey*, *150.* Yet they have sometimes recommended a bill, as of great importance, to the consideration of the House to which it is sent. *3 Hats.*, *25.* Nor when they have rejected a bill from the other House, do they give notice of it; but it passes sub silentio, to prevent unbecoming altercations. *1 Blackst.*, *183.*

But in Congress the rejection is notified by message to the House in which the bill originated.

A question is never asked by the one House of the other by way of message, but only at a conference; for this is an interrogatory, not a message. *3 Grey*, *151*, *181.*

When a bill is sent by one House to the other, and is neglected, they may send a message to remind them of it. *3 Hats.*, *25; 5 Grey*, *154.* But if it be mere inattention, it is better to have it done informally by communication between the Speakers or members of the two Houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one House was not noticed by the other, because the declaration being original, could not possibly be sent to both Houses at the same time. *2 Hats.*, *260*, *261*, *262.*

The King having sent original letters to the Commons, after

ward desires they may be returned, that he may communicate them to the Lords. *1 Chandler, 303.*

SEC. XLVIII.—ASSENT.

The House which has received a bill and passed it may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two Houses from motives of respect and good understanding. *2 Hats., 242.* Were the bill to be withheld from being presented to the King, it would be an infringement of the rules of Parliament. *Ib.*

When a bill has passed both Houses of Congress, the House last acting on it notifies its passage to the other, and delivers the bill to the Joint Committee of Enrolment, who sees that it is truly enrolled in parchment. When the bill is enrolled, it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs may not give room for forgery. *9 Grey, 143.* It is then put into the hands of the Clerk of the House of Representatives to have it signed by the Speaker. The Clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrolment, who present it to the President of the United States. If he approve, he signs, and deposits it among the rolls in the office of the Secretary of State, and notifies by message the House in which it originated that he has approved and signed it; of which that House informs the other by message. If the President disapproves, he is to return it, with his objections, to that House in which it shall have originated; who are to enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the President's objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of

that House, it shall become a law. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. *Const.*, *I*, *7*.

Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment), shall be presented to the President of the United States, and before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. *Const.*, *I*, *7*.

SEC. XLIX.—JOURNALS.

Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. *Const.*, *I*, *5*.

[*In the Senate.*] *Rule IV.*

1. *The proceedings of the Senate shall be briefly and accurately stated on the Journal. Messages of the President in full; titles of bills and joint resolutions, and such parts as shall be affected by proposed amendments; every vote, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, shall be entered.*

2. *The legislative, the executive, the confidential legislative proceedings, and the proceedings when sitting as a Court of Impeachment, shall each be recorded in a separate book.*

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and make intelligible the second. *2 Hats.*, *83*.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals; because it makes part of the vote of postponement, adjourning, or laying it on the table.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense; as there may be many questions proposed, which it may be improper to publish to the world in the form in which they are made. *2 Hats., 85.*

In both Houses of Congress, all questions whereon the yeas and nays are desired by one-fifth of the members present, whether decided affirmatively or negatively, must be entered in the journals. *Const., I, 5.*

The first order for printing the votes of the House of Commons was October 30, 1685. *1 Chandler, 387.*

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob., 110, 111; Lex. Parl., 114, 115; Jour. H. C., Mar. 17, 1592; Hale, Parl., 105.* For the Lords in their House have power of judicature, the Commons in their House have power of judicature, and both Houses together have power of judicature; and the book of the Clerk of the House of Commons is a record, as is affirmed by act of Parl., *6 H. 8, c. 16; 4 Inst., 23, 24;* and every member of the House of Commons hath a judicial place. *4 Inst., 15.* As records they are open to every person, and a printed vote of either House is sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other, and report what has been done by the other in any particular case. *2 Hats., 261; 3 Hats., 27–30.* Every member has a right to see the journals and to take and publish votes from them. Being a record, every one may see and publish them. *6 Grey, 118, 119.*

On information of a mis-entry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. *2 Hats.*, *194*, *195*.

SEC. L.—ADJOURNMENT.

The two Houses of Parliament have the sole, separate, and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either House to comply with his requisition, or not, as they see fitting. *2 Hats.*, *232; 1 Blackst.*, *186; 5 Grey*, *122*.

By the Constitution of the United States, a smaller number than a majority may adjourn from day to day. *I*, *5*. But "neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting." *I*, *5*. And in case of disagreement between them, with respect to the time of adjournment, the President may adjourn them to such time as he shall think proper. *Const.*, *II*, *3*.

A motion to adjourn, simply, cannot be amended, as by adding "to a particular day;" but must be put simply "that this House do now adjourn;" and if carried in the affirmative, it is adjourned to the next sitting day, unless it has come to a previous resolution, "that at its rising it will adjourn to a particular day," and then the House is adjourned to that day. *2 Hats.*, *82*.

Where it is convenient that the business of the House be suspended for a short time, as for a conference presently to be held, &c., it adjourns during pleasure; *2 Hats.*, *305;* or for a quarter of an hour. *4 Grey*, *331*.

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. *5 Grey*, *137*. And from courtesy and respect, no member leaves his place till the Speaker has passed on.

SEC. LI.—A SESSION.

Parliament have three modes of separation, to wit: by adjournment, by prorogation or dissolution by the King, or by the efflux of the term for which they were elected. Prorogation or dissolution constitutes there what is called a session; provided some act was passed. In this case all matters depending before them are discontinued, and at their next meeting are to be taken up de novo, if taken up at all. *1 Blackst., 186.* Adjournment, which is by themselves, is no more than a continuance of the session from one day to another, or for a fortnight, a month, &c., ad libitum. All matters depending remain in statu quo, and when they meet again, be the term ever so distant, are resumed, without any fresh commencement, at the point at which they were left. *1 Lev., 165; Lex. Parl., c. 2; 1 Ro. Rep., 29; 4 Inst., 7, 27, 28; Hutt., 61; 1 Mod., 252; Ruffh. Jac., L. Dict. Parliament; 1 Blackst., 186.* Their whole session is considered in law but as one day, and has relation to the first day thereof. *Bro. Abr. Parliament, 86.*

[*In the Senate.*] *Rule XXXII.*

At the second or any subsequent session of a Congress, the legislative business of the Senate which remained undetermined at the close of the next preceding session of that Congress shall be resumed and proceeded with in the same manner as if no adjournment of the Senate had taken place; and all papers referred to committees and not reported upon at the close of a session of Congress shall be returned to the office of the Secretary of the Senate, and be retained by him until the next succeeding session of that Congress, when they shall be returned to the several committees to which they had previously been referred.

Committees may be appointed to sit during a recess by adjournment, but not by prorogation. *5 Grey, 374; 9 Grey, 350; 1 Chandler, 50.* Neither House can continue any portion of itself in any parliamentary function beyond the end of

the session, without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose.

Congress separate in two ways only, to wit, by adjournment, or dissolution by the efflux of their time. What, then, constitutes a session with them? A dissolution certainly closes one session, and the meeting of the new Congress begins another. The Constitution authorizes the President, "on extraordinary occasions, to convene both Houses, or either of them." *I, 3.* If convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session. So if it meets under the clause of the Constitution, which says, "the Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day." *I, 4.* This must begin a new session; for even if the last adjournment was to this day, the act of adjournment is merged in the higher authority of the Constitution, and the meeting will be under that, and not under their adjournment. So far we have fixed landmarks for determining sessions. In other cases it is declared by the joint vote authorizing the President of the Senate and the Speaker to close the session on a fixed day, which is usually in the following form: "Resolved by the Senate and House of Representatives, that the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the ——— day of ———."

When it was said above that all matters depending before Parliament were discontinued by the determination of the session, it was not meant for judiciary cases depending before the House of Lords, such as impeachments, appeals, and writs of error. These stand continued, of course, to the next session. *Raym., 120, 381; Ruffh. Fac., L. D., Parliament.*

Impeachments stand, in like manner, continued before the Senate of the United States.

SEC. LII.—TREATIES.

The President of the United States has power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. *Const., II, 2.*

[*In the Senate.*] *Rule XXXVI—Clause 3.*

3. *All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy, or unless the same be considered in open Executive session.*

Rule XXXVII—Clause 3.

3. *All treaties concluded with Indian tribes shall be considered and acted upon by the Senate in its open or legislative session, unless the same shall be transmitted by the President to the Senate in confidence, in which case they shall be acted upon with closed doors.*

Treaties are legislative acts. A treaty is the law of the land. It differs from other laws only as it must have the consent of a foreign nation, being but a contract with respect to that nation. In all countries, I believe, except England, treaties are made by the legislative power; and there, also, if they touch the laws of the land, they must be approved by Parliament. Ware *v.* Hylton, *3 Dallas's Rep., 223.* It is acknowledged, for instance, that the King of Great Britain cannot by a treaty make a citizen of an alien. *Vattel, b. 1, c. 19, sec. 214.* An act of Parliament was necessary to validate the American treaty of 1783. And abundant examples of such acts can be cited. In the case of the treaty of Utrecht, in 1712, the commercial articles required the concurrence of Parliament; but a bill brought in for that purpose was rejected. France, the other contracting party, suffered these articles, in practice, to be not insisted on, and adhered to the

rest of the treaty. *4 Russell's Hist. Mod. Europe, 457; 2 Smollet, 242, 246.*

By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary legislature—the President originating and the Senate having a negative. To what subjects this power extends has not been defined in detail by the Constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign nation party to the contract, or it would be a mere nullity, res inter alias acta. 2. By the general power to make treaties, the Constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and cannot be otherwise regulated. 3. It must have meant to except out of these the rights reserved to the States; for surely the President and Senate cannot do by treaty what the whole Government is interdicted from doing in any way. 4. And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others. The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe. Besides, as the negotiations are carried on by the Executive alone, the subjecting to the ratification of the Representatives such articles as are within their participation is no more inconvenient than to the Senate. But the ground of this exception is denied as unfounded. For examine, *e. g.*, the treaty of commerce with France, and it will be found that, out of thirty-one articles, there are not more than small portions of two or three of them which would not still remain as subjects of treaties, untouched by these exceptions.

Treaties being declared, equally with the laws of the United States, to be the supreme law of the land, it is understood that an act of the legislature alone can declare them infringed

and rescinded. This was accordingly the process adopted in the case of France in 1798.

It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the correspondence of the negotiators. This having been omitted in the case of the Prussian treaty, was asked by a vote of the House of February 12, 1800, and was obtained. And in December, 1800, the convention of that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for and communicated by the President.

The mode of voting on questions of ratification is by nominal call.

[*In the Senate.*] *Rule XXXVII.*

1. *When a treaty shall be laid before the Senate for ratification, it shall be read a first time; and no motion in respect to it shall be in order, except to refer it to a committee, to print it in confidence for the use of the Senate, to remove the injunction of secrecy, or to consider it in open Executive session.*

When a treaty is reported from a committee with or without amendment, it shall, unless the Senate unanimously otherwise direct, lie one day for consideration; after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, "Will the Senate concur in the amendments made in Committee of the Whole?" And the amendments may be taken separately, or in gross, if no Senator shall object; after which new amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty, or proceed with its consideration in open Executive session.

The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise; at which stage no amendment shall be received, unless by unanimous consent.

On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds.

2. Treaties transmitted by the President to the Senate for ratification shall be resumed at the second or any subsequent session of the same Congress at the stage in which they were left at the final adjournment of the session at which they were transmitted; but all proceedings on treaties shall terminate with the Congress, and they shall be resumed at the commencement of the next Congress as if no proceedings had previously been had thereon.

3. All treaties concluded with Indian tribes shall be considered and acted upon by the Senate in its open or legislative session, unless the same shall be transmitted by the President to the Senate in confidence, in which case they shall be acted upon with closed doors.

SEC. LIII.—IMPEACHMENT.

The House of Representatives shall have the sole power of impeachment. *Const., I, 3.*

The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not

extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States. But the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law. *Const., I, 3.*

The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. *Const., II, 4.*

The trial of crimes, except in cases of impeachment, shall be by jury. *Const., III, 2.*

These are the provisions of the Constitution of the United States on the subject of impeachments. The following is a sketch of some of the principles and practices of England on the same subject:

Jurisdiction. The Lords cannot impeach any to themselves, nor join in the accusation, because they are the judges. *Seld. Judic. in Parl., 12, 63.* Nor can they proceed against a commoner but on complaint of the Commons. *Ib., 84.* The Lords may not, by the law, try a commoner for a capital offense, on the information of the King or a private person, because the accused is entitled to a trial by his peers generally; but on accusation by the House of Commons, they may proceed against the delinquent, of whatsoever degree, and whatsoever be the nature of the offense; for there they do not assume to themselves trial at common law. The Commons are then instead of a jury, and the judgment is given on their demand, which is instead of a verdict. So the Lords do only judge, but not try the delinquent. *Ib., 6, 7.* But Wooddeson denies that a commoner can now be charged capitally before the Lords, even by the Commons; and cites Fitzharris's case, 1681, impeached of high treason, where the Lords remitted the prosecution to the inferior court. *8 Grey's Deb., 325–7; 2 Wooddeson, 576, 601; 3 Seld., 1604, 1610, 1618, 1619, 1641; 4 Blackst., 25; 9 Seld., 1656; 73 Seld., 1604–18.*

Accusation. The Commons, as the grand inquest of the nation, becomes suitors for penal justice. *2 Wood., 597; 6 Grey, 356.* The general course is to pass a resolution containing a criminal charge against the supposed delinquent, and then to direct some member to impeach him by oral accusation, at the bar of the House of Lords, in the name of the Commons. The person signifies that the articles will be exhibited, and desires that the delinquent may be sequestered from his seat, or be committed, or that the peers will take order for his appearance. *Sachev. Trial, 325; 2 Wood., 602, 605; Lords' Journ., 3 June, 1701; 1 Wms., 616; 6 Grey, 324.*

Process. If the party do not appear, proclamations are to be issued, giving him a day to appear. On their return they are strictly examined. If any error be found in them, a new proclamation issues, giving a short day. If he appear not, his goods may be arrested, and they may proceed. *Seld. Jud., 98, 99.*

Articles. The accusation (articles) of the Commons is substituted in place of an indictment. Thus, by the usage of Parliament, in impeachment for writing or speaking, the particular words need not be specified. *Sach. Tr., 325; 2 Wood., 602, 605; Lords' Journ., 3 June, 1701; 1 Wms., 616.*

Appearance. If he appear, and the case be capital, he answers in custody; though not if the accusation be general. He is not to be committed but on special accusations. If it be for a misdemeanor only, he answers, a lord in his place, a commoner at the bar, and not in custody, unless, on the answer, the Lords find cause to commit him, till he finds sureties to attend, and lest he should fly. *Seld. Jud., 98, 99.* A copy of the articles is given him, and a day fixed for his answer. *T. Ray.; 1 Rushw., 268; Fost., 232; 1 Clar. Hist. of the Reb., 379.* On a misdemeanor, his appearance may be in person, or he may answer in writing, or by attorney. *Seld. Jud., 100.* The general rule on accusation for a misdemeanor is, that in such a state of liberty or restraint as the

party is when the Commons complain of him, in such he is to answer. *Ib.*, *101.* If previously committed by the Commons, he answers as a prisoner. But this may be called in some sort judicium parium suorum. *Ib.* In misdemeanors the party has a right to counsel by the common law, but not in capital cases. *Seld. Jud.*, *102*, *105.*

Answer. The answer need not observe great strictness of form. He may plead guilty as to part, and defend as to the residue; or, saving all exceptions, deny the whole or give a particular answer to each article separately. *1 Rush.*, *274; 2 Rush.*, *1374; 12 Parl. Hist.*, *442; 3 Lords' Journ.*, *13 Nov.*, *1643; 2 Wood.*, *607.* But he cannot plead a pardon in bar to the impeachment. *2 Wood.*, *615; 2 St. Tr.*, *735.*

Replication, rejoinder, &c. There may be a replication, rejoinder, &c. *Sel. Jud.*, *114; 8 Grey's Deb.*, *233; Sach. Tr.*, *15; Journ. H. of Commons*, *6 March*, *1640–1.*

Witnesses. The practice is to swear the witnesses in open House, and then examine them there; or a committee may be named, who shall examine them in committee, either on interrogatories agreed on in the House, or such as the committee in their discretion shall demand. *Seld. Jud.*, *120*, *123.*

Jury. In the case of Alice Pierce, *1 R.*, *2*, a jury was impaneled for her trial before a committee. *Seld. Jud.*, *123.* But this was on a complaint, not on impeachment by the Commons. *Seld. Jud.*, *163.* It must also have been for a misdemeanor only, as the Lords spiritual sat in the case, which they do on misdemeanors, but not in capital cases. *Id.*, *148.* The judgment was a forfeiture of all her lands and goods. *Id.*, *188.* This, Selden says, is the only jury he finds recorded in Parliament for misdemeanors; but he makes no doubt, if the delinquent doth put himself on the trial of his country, a jury ought to be impaneled, and he adds that it is not so on impeachment by the Commons; for they are in loco proprio, and there no jury ought to be impaneled. *Id.*, *124.* The Ld. Berkeley, *6 E.*, *3*, was arraigned for the murder of

L. 2, on an information on the part of the King, and not on impeachment of the Commons; for then they had been patria sua. He waived his peerage, and was tried by a jury of Gloucestershire and Warwickshire. *Id.*, *126*. In *1 H.*, *7*, the Commons protest that they are not to be considered as parties to any judgment given, or hereafter to be given in Parliament. *Id.*, *133*. They have been generally and more justly considered, as is before stated, as the grand jury; for the conceit of Selden is certainly not accurate, that they are the patria sua of the accused, and that the Lords do only judge, but not try. It is undeniable that they do try; for they examine witnesses as to the facts, and acquit or condemn, according to their own belief of them. And Lord Hale says, "the peers are judges of law as well as of fact;" *2 Hale, P. C.*, *275;* consequently of fact as well as of law.

Presence of Commons. The Commons are to be present at the examination of witnesses. *Seld. Jud.*, *124*. Indeed they are to attend throughout, either as a committee of the whole House, or otherwise, at discretion, appoint managers to conduct the proofs. *Rushw. Tr. of Straff.*, *37; Com. Journ.*, *4 Feb.*, *1709–10; 2 Wood*, *614*. And judgment is not to be given till they demand it. *Seld. Jud.*, *124*. But they are not to be present on impeachment when the Lords consider of the answer or proofs and determine of their judgment. Their presence, however, is necessary at the answer and judgment in cases capital *Id. 58*, *158* as well as not capital; *162*. The Lords debate the judgment among themselves. Then the vote is first taken on the question of guilty or not guilty; and if they convict, the question, or particular sentence, is out of that which seemeth to be most generally agreed on. *Seld. Jud.*, *167; 2 Wood.*, *612*.

Judgment. Judgments in Parliament, for death, have been strictly guided per legem terræ, which they cannot alter; and not at all according to their discretion. They can neither omit any part of the legal judgment, nor add to it. Their

sentence must be secundum non ultra legem. *Seld. Jud.*, *168*, *171*. This trial, though it varies in external ceremony, yet differs not in essentials from criminal prosecutions before inferior courts. The same rules of evidence, the same legal notions of crimes and punishments, prevailed; for impeachments are not framed to alter the law, but to carry it into more effectual execution against too powerful delinquents. The judgment, therefore, is to be such as is warranted by legal principles or precedents. *6 Sta. Tr.*, *14; 2 Wood.*, *611*. The Chancellor gives judgment in misdemeanors; the Lord High Steward formerly in cases of life and death. *Seld. Jud.*, *180*. But now the Steward is deemed not necessary. *Fost.*, *144; 2 Wood.*, *613*. In misdemeanors the greatest corporal punishment hath been imprisonment. *Seld. Jud.*, *184*. The King's assent is necessary to capital judgments, (but *2 Wood.*, *614*, contra,) but not in misdemeanors. *Seld. Jud.*, *136*.

Continuance. An impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. *T. Ray*, *383; 4 Com. Journ.*, *23 Dec.*, *1790; Lords' Jour.*, *May 15*, *1791; 2 Wood.*, *618*.

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SIXTIETH CONGRESS.

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RULES OF THE HOUSE OF REPRESENTATIVES.

SIXTIETH CONGRESS.

RULE I.

DUTIES OF THE SPEAKER.

1. The Speaker shall take the chair on every legislative day precisely at the hour to which the House shall have adjourned at the last sitting, immediately call the members to order, and on the appearance of a quorum, cause the Journal of the proceedings of the last day's sitting to be read, having previously examined and approved the same.

2. He shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

3. He shall have general control, except as provided by rule or law, of the Hall of the House, and of the corridors and passages and of the unappropriated rooms in that part of the Capitol assigned to the use of the House, until further order.

4. He shall sign all acts, addresses, joint resolutions, writs, warrants, and subpœnas of, or issued by order of, the House, and decide all questions of order, subject to an appeal by any member, on which appeal no member shall speak more than once, unless by permission of the House.

5. He shall rise to put a question, but may state it sitting; and shall put questions in this form, to wit: "As many as are in favor (as the question may be), say Aye;" and after the affirmative voice is expressed, "As many as are opposed, say No;" if he doubts, or a division is called for, the House shall divide; those in the affirmative of the question shall first rise

from their seats, and then those in the negative; if he still doubts, or a count is required by at least one-fifth of a quorum, he shall name one from each side of the question, to tell the members in the affirmative and negative; which being reported, he shall rise and state the decision.

6. He shall not be required to vote in ordinary legislative proceedings, except where his vote would be decisive, or where the House is engaged in voting by ballot; and in all cases of a tie vote the question shall be lost.

7. He shall have the right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment: *Provided, however*, That in case of his illness, he may make such appointment for a period not exceeding ten days, with the approval of the House at the time the same is made; and in his absence and omission to make such appointment, the House shall proceed to elect a Speaker *pro tempore*, to act during his absence.

RULE II.

ELECTION OF OFFICERS.

There shall be elected by a viva voce vote, at the commencement of each Congress, to continue in office until their successors are chosen and qualified, a Clerk, Sergeant-at-Arms, Doorkeeper, Postmaster, and Chaplain, each of whom shall take an oath to support the Constitution of the United States, and for the true and faithful discharge of the duties of his office to the best of his knowledge and ability, and to keep the secrets of the House; and each shall appoint all of the employees of his department provided for by law.

RULE III.

DUTIES OF THE CLERK.

1. The Clerk shall, at the commencement of the first session of each Congress, call the members to order, proceed to call

the roll of members by States in alphabetical order, and, pending the election of a Speaker or Speaker *pro tempore*, call the House to order, preserve order and decorum, and decide all questions of order subject to appeal by any member.

2. He shall make and cause to be printed and delivered to each member, or mailed to his address, at the commencement of every regular session of Congress, a list of the reports which it is the duty of any officer or Department to make to Congress, referring to the act or resolution and page of the volume of the laws or Jou nal in which it may be contained, and placing under the name of each officer the list of reports required of him to be made.

3. He shall note all questions of order, with the decisions thereon, the record of which shall be printed as an appendix to the Journal of each session; and complete, as soon after the close of the session as possible, the printing and distribution to members and delegates of the Journal of the House, together with an accurate and complete index; retain in the library at his office, for the use of the members and officers of the House, and not to be withdrawn therefrom, two copies of all the books and printed documents deposited there; send, at the end of each session, a printed copy of the Journal thereof to the executive and to each branch of the legislature of every State and Territory; preserve for and deliver or mail to each member and delegate an extra copy, in good binding, of all documents printed by order of either House of the Congress to which he belonged; attest and affix the seal of the House to all writs, warrants and subpœnas issued by order of the House, certify to the passage of all bills and joint resolutions, make or approve all contracts, bargains, or agreements relative to furnishing any matter or thing, or for the performance of any labor for the House of Representatives, in pursuance of law or order of the House, keep full and accurate accounts of the disbursements out of the contingent fund of the House, keep the stationery account of members and delegates, and

pay them as provided by law. He shall pay to the officers and employees of the House of Representatives, the last day of each month, the amount of their salaries that shall be due them; and when the last day of the month falls on Sunday he shall pay them on the day next preceding.

RULE IV.

DUTIES OF THE SERGEANT-AT-ARMS.

1. It shall be the duty of the Sergeant-at-Arms to attend the House and the Committee of the Whole during their sittings, to maintain order under the direction of the Speaker or Chairman, and, pending the election of a Speaker or Speaker *pro tempore*, under the direction of the Clerk; execute the commands of the House, and all processes issued by authority thereof, directed to him by the Speaker; keep the accounts for the pay and mileage of members and delegates, and pay them as provided by law.

2. The symbol of his office shall be the mace, which shall be borne by him while enforcing order on the floor.

RULE V.

DUTIES OF THE DOORKEEPER.

1. The Doorkeeper shall enforce strictly the rules relating to the privileges of the hall and be responsible to the House for the official conduct of his employees.

2. At the commencement and close of each session of Congress he shall take an inventory of all the furniture, books, and other public property in the several committee and other rooms under his charge, and report the same to the House, which report shall be referred to the Committee on Accounts to ascertain and determine the amount for which he shall be held liable for missing articles.

3. He shall allow no person to enter the room over the hall of the House during its sittings; and fifteen minutes before

the hour of the meeting of the House each day he shall see that the floor is cleared of all persons except those privileged to remain, and kept so until ten minutes after adjournment.

RULE VI.

DUTIES OF THE POSTMASTER.

The Postmaster shall superintend the post-office kept in the Capitol for the accommodation of Representatives, Delegates, and officers of the House, and be held responsible for the prompt and safe delivery of their mail.

RULE VII.

The Chaplain shall attend at the commencement of each day's sitting of the House and open the same with prayer.

RULE VIII.

OF THE MEMBERS.

1. Every member shall be present within the hall of the House during its sittings, unless excused or necessarily prevented; and shall vote on each question put, unless he has a direct personal or pecuniary interest in the event of such question.

2. Pairs shall be announced by the Clerk, after the completion of the second roll call, from a written list furnished him, and signed by the member making the statement to the Clerk, which list shall be published in the Record as a part of the proceedings, immediately following the names of those not voting: *Provided* pairs shall be announced but once during the same legislative day.

RULE IX.

QUESTIONS OF PRIVILEGE.

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the

integrity of its proceedings; second, the rights, reputation, and conduct of members individually in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn.

RULE X.

OF COMMITTEES.

1. Unless otherwise specially ordered by the House, the Speaker shall appoint, at the commencement of each Congress, the following standing committees, viz:

On Elections, three committees, to consist of nine members each, to be called number one (1), two (2), and three (3), respectively.

On Ways and Means, to consist of nineteen members.

On Appropriations, to consist of seventeen members.

On the Judiciary, to consist of eighteen members.

On Banking and Currency, to consist of nineteen members.

On Coinage, Weights, and Measures, to consist of eighteen members.

On Interstate and Foreign Commerce, to consist of eighteen members.

On Rivers and Harbors, to consist of twenty members.

On the Merchant Marine and Fisheries, to consist of nineteen members.

On Agriculture, to consist of eighteen members.

On Foreign Affairs, to consist of nineteen members.

On Military Affairs, to consist of nineteen members.

On Naval Affairs, to consist of nineteen members.

On the Post-Office and Post-Roads, to consist of eighteen members.

On the Public Lands, to consist of nineteen members.

On Indian Affairs, to consist of nineteen members.

On the Territories, to consist of sixteen members.

On Insular Affairs, to consist of nineteen members.

On Railways and Canals, to consist of fourteen members.

On Manufactures, to consist of thirteen members.

On Mines and Mining, to consist of fourteen members.

On Public Buildings and Grounds, to consist of seventeen members.

On the Pacific Railroads, to consist of fifteen members.

On Levees and Improvements of the Mississippi River, to consist of fifteen members.

On Education, to consist of fifteen members.

On Labor, to consist of thirteen members.

On the Militia, to consist of fifteen members.

On Patents, to consist of fourteen members.

On Invalid Pensions, to consist of sixteen members.

On Pensions, to consist of fifteen members.

On Claims, to consist of sixteen members.

On War Claims, to consist of fifteen members.

On Private Land Claims, to consist of thirteen members.

On the District of Columbia, to consist of nineteen members.

On Revision of the Laws, to consist of thirteen members.

On Reform in the Civil Service, to consist of thirteen members.

On Election of President, Vice-President, and Representatives in Congress, to consist of thirteen members.

On Alcoholic Liquor Traffic, to consist of eleven members.

On Irrigation of Arid Lands, to consist of thirteen members.

On Immigration and Naturalization, to consist of fifteen members.

On Ventilation and Acoustics, to consist of seven members.

On Expenditures in the State Department, to consist of seven members.

On Expenditures in the Treasury Department, to consist of seven members.

On Expenditures in the War Department, to consist of seven members.

On Expenditures in the Navy Department, to consist of seven members.

On Expenditures in the Post-Office Department, to consist of seven members.

On Expenditures in the Interior Department, to consist of seven members.

On Expenditures in the Department of Justice, to consist of seven members.

On Expenditures in the Department of Agriculture, to consist of seven members.

On Expenditures in the Department of Commerce and Labor, to consist of seven members.

On Expenditures on Public Buildings, to consist of seven members.

On Rules, to consist of five members.

On Accounts, to consist of nine members.

On Mileage, to consist of five members.

On the Census, to consist of sixteen members.

On Industrial Arts and Expositions, to consist of sixteen members.

Also the following joint standing committees, viz:

On the Library, to consist of five members.

On Printing, to consist of three members.

On Enrolled Bills, to consist of seven members.

2. He shall also appoint all select and conference committees which shall be ordered by the House from time to time.

3. The first-named member of each committee shall be the chairman; and in his absence, or being excused by the House, the next-named member, and so on, as often as the case shall happen, unless the committee by a majority of its number elect a chairman; and in case of the death of a chairman it shall be the duty of the Speaker to appoint another.

4. The chairman shall appoint the clerk or clerks of his committee, subject to its approval, who shall be paid at the public expense, the House having first provided therefor.

RULE XI.

POWERS AND DUTIES OF COMMITTEES.

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, viz: Subjects relating,

1. to the election of members: to the respective Committees on Elections;

2. to the revenue and the bonded debt of the United States: to the Committee on Ways and Means;

3. to appropriation of the revenue for the support of the Government, as herein provided, viz: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications and coast defenses; for the District of Columbia; for pensions; and for all deficiencies: to the Committee on Appropriations;

4. to judicial proceedings, civil and criminal law: to the Committee on the Judiciary;

5. to banking and currency: to the Committee on Banking and Currency;

6. to coinage, weights, and measures: to the Committee on Coinage, Weights, and Measures;

7. to commerce, life-saving service, and light-houses, other than appropriations for life-saving service and light-houses: to the Committee on Interstate and Foreign Commerce;

8. to the improvements of rivers and harbors: to the Committee on Rivers and Harbors;

9. to the merchant marine and fisheries: to the Committee on the Merchant Marine and Fisheries;

10. to agriculture and forestry: to the Committee on Agriculture, who shall receive the estimates and report the appropriations for the Agricultural Department;

11. to the relations of the United States with foreign nations, including appropriations therefor: to the Committee on Foreign Affairs;

12. to the military establishment and the public defense,

including the appropriations for its support and for that of the Military Academy: to the Committee on Military Affairs;

13. to the naval establishment, including the appropriations for its support: to the Committee on Naval Affairs;

14. to the post-office and post-roads, including appropriations for their support: to the Committee on the Post-Office and Post-Roads;

15. to the lands of the United States: to the Committee on the Public Lands;

16. to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor: to the Committee on Indian Affairs;

17. to Territorial legislation, the revision thereof, and affecting Territories or the admission of States: to the Committee on the Territories;

18. to all matters (excepting those affecting the revenue and the appropriations) pertaining to the islands which came to the United States through the treaty of 1899 with Spain, and to Cuba: to the Committee on Insular Affairs;

19. to railways and canals, other than Pacific railroads: to the Committee on Railways and Canals;

20. to the manufacturing industries: to the Committee on Manufactures;

21. to the mining interests: to the Committee on Mines and Mining;

22. to the public buildings and occupied or improved grounds of the United States, other than appropriations therefor: to the Committee on Public Buildings and Grounds;

23. to the railroads and telegraphic lines between the Mississippi River and the Pacific coast: to the Committee on Pacific Railroads;

24. to the levees of the Mississippi River: to the Committee on Levees and Improvements of the Mississippi River;

25. to education: to the Committee on Education;

26. to and affecting labor: to the Committee on Labor;

27. to the militia of the several States: to the Committee on the Militia;

28. to patents, copyrights, and trade-marks: to the Committee on Patents;

29. to the pensions of the civil war: to the Committee on Invalid Pensions;

30. to the pensions of all the wars of the United States, other than the civil war: to the Committee on Pensions;

31. to private and domestic claims and demands, other than war claims, against the United States: to the Committee on Claims;

32. to claims arising from any war in which the United States has been engaged: to the Committee on War Claims;

33. to private claims to land: to the Committee on Private Land Claims;

34. to the District of Columbia, other than appropriations therefor: to the Committee on the District of Columbia;

35. to the revision and codification of the statutes of the United States: to the Committee on the Revision of the Laws;

36. to reform the civil service: to the Committee on Reform in the Civil Service;

37. to the election of the President, Vice-President, or Representatives in Congress: to the Committee on Election of President, Vice-President, and Representatives in Congress;

38. to alcoholic liquor traffic: to the Committee on Alcoholic Liquor Traffic.

39. to the irrigation of arid lands: to the Committee on Irrigation of Arid Lands;

40. to immigration or naturalization: to the Committee on Immigration and Naturalization;

41. to ventilation and acoustics: to the Committee on Ventilation and Acoustics.

42. The examination of the accounts and expenditures of the several departments of the Government and the manner of keeping the same; the economy, justness, and correctness of such expenditures; their conformity with appropriation laws;

the proper application of public moneys; the security of the Government against unjust and extravagant demands; retrenchment; the enforcement of the payment of moneys due to the United States; the economy and accountability of public officers; the abolishment of useless offices; the reduction or increase of the pay of officers, shall all be subjects within the jurisdiction of the nine standing committees on the public expenditures in the several Departments, as follows:

43. In the Department of State: to the Committee on Expenditures in the State Department;

44. In the Treasury Department: to the Committee on Expenditures in the Treasury Department;

45. In the War Department; to the Committee on Expenditures in the War Department;

46. In the Navy Department; to the Committee on Expenditures in the Navy Department.

47. In the Post-Office Department: to the Committee on Expenditures in the Post-Office Department;

48. In the Interior Department: to the Committee on Expenditures in the Interior Department;

49. In the Department of Justice: to the committee on Expenditures in the Department of Justice;

50. In the Department of Agriculture: to the Committee on Expenditures in the Department of Agriculture;

51. In the Department of Commerce and Labor: to the Committee on Expenditures in the Department of Commerce and Labor.

52. On public buildings: to the Committee on Expenditures on Public Buildings.

53. All proposed action touching the rules, joint rules, and order of business shall be referred to the Committee on Rules;

54. Touching the expenditure of the contingent fund of the House, the auditing and settling of all accounts which may be charged therein by order of the House: to the Committee on Accounts.

55. The ascertaining of the travel of members of the House shall be made by the Committee on Mileage and reported to the Sergeant-at-Arms.

56. Touching the Library of Congress, statuary, and pictures: to the Joint Committee on the Library.

57. All proposed legislation or orders touching printing shall be referred to the Joint Committee on Printing on the part of the House.

58. The enrollment of engrossed bills: to the Joint Committee on Enrolled Bills.

59. All proposed legislation concerning the Census and the apportionment of Representatives: to the Committee on the Census.

60. All matters (excepting those relating to the revenue and appropriations) referring to the centennial of the Louisiana purchase and to proposed expositions: to the Committee on Industrial Arts and Expositions.

61. The following-named committees shall have leave to report at any time on the matters herein stated, viz: The Committee on Rules, on rules, joint rules, and order of business; the Committee on Elections, on the right of a member to his seat; the Committee on Ways and Means, on bills raising revenue; the committees having jurisdiction of appropriations, the general appropriation bills; the Committee on Rivers and Harbors, bills for the improvement of rivers and harbors; the Committee on the Public Lands, bills for the forfeiture of land grants to railroad and other corporations, bills preventing speculation in the public lands, and bills for the reservation of the public lands for the benefit of actual and *bona fide* settlers; the Committee on Territories, bills for the admission of new States; the Committee on Enrolled Bills, enrolled bills; the Committee on Invalid Pensions, general pension bills; the Committee on Printing, on all matters referred to them of printing for the use of the House or two Houses; and the Committee on Accounts, on all matters of expenditure of the contingent fund of the House.

It shall always be in order to call up for consideration a report from the Committee on Rules, and, pending the consideration thereof, the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall

not entertain any other dilatory motion until the said report shall have been fully disposed of.

62. No committee, except the Committee on Rules, shall sit during the sitting of the House without special leave.

RULE XII.

DELEGATES.

1. The Speaker shall appoint from among the Delegates one additional member on each of the following committees, viz: Coinage, Weights, and Measures; Agriculture; Military Affairs; Post-Office and Post-Roads; Public Lands; Indian Affairs; Private Land Claims, and Mines and Mining; and two on Territories; and they shall possess in their respective committees the same powers and privileges as in the House, and may make any motion except to reconsider.

2. The Resident Commissioner to the United States from Porto Rico shall possess the same powers and privileges as to committee service and in the House as are possessed by Delegates; and shall be competent to serve on the Committee on Insular Affairs as an additional member.

RULE XIII.

CALENDARS AND REPORTS OF COMMITTEES.

1. There shall be three Calendars of business reported from committees, viz:

First. A Calendar of the Committee of the Whole House on the state of the Union, to which shall be referred bills raising revenue, general appropriation bills, and bills of a public character directly or indirectly appropriating money or property.

Second. A House Calendar, to which shall be referred all bills of a public character not raising revenue nor directly or indirectly appropriating money or property.

Third. A Calendar of the Committee of the Whole House, to which shall be referred all bills of a private character.

2. All reports of committees, except as provided in clause 61 of Rule XI, together with the views of the minority, shall be

delivered to the Clerk for printing and reference to the proper Calendar under the direction of the Speaker, in accordance with the foregoing clause, and the titles or subjects thereof shall be entered on the Journal and printed in the Record.

Provided, That bills reported adversely shall be laid on the table, unless the committee reporting a bill, at the time, or any member within three days thereafter, shall request its reference to the Calendar, when it shall be referred as provided in clause 1 of this rule.

RULE XIV.

OF DECORUM AND DEBATE.

1. When any member desires to speak or deliver any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," and, on being recognized, may address the House from any place on the floor or from the Clerk's desk, and shall confine himself to the question under debate, avoiding personality.

2. When two or more members rise at once, the Speaker shall name the member who is first to speak; and no member shall occupy more than one hour in debate on any question in the House or in committee, except as further provided in this rule.

3. The member reporting the measure under consideration from a committee may open and close, where general debate has been had thereon; and if it shall extend beyond one day, he shall be entitled to one hour to close, notwithstanding he may have used an hour in opening.

4. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call him to order; in which case he shall immediately sit down, unless permitted, on motion of another member, to explain, and the House shall, if appealed to, decide on the case without debate; if the decision is in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and, if the case require it, he shall be liable to censure or such punishment as the House may deem proper.

5. If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the House; but he shall not be held to answer, nor be subject to the censure of the House therefor, if further debate or other business has intervened.

6. No member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

7. While the Speaker is putting a question or addressing the House no member shall walk out of or across the hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause. Neither shall any person be allowed to smoke upon the floor of the House at any time.

RULE XV.

ON CALLS OF THE ROLL AND HOUSE.

1. Upon every roll call the names of the members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the State shall be added; and if there be two such members from the same State, the whole name shall be called; and after the roll has been once called, the Clerk shall call in their alphabetical order the names of those not voting; and thereafter the Speaker shall not entertain a request to record a vote or announce a pair unless the member's name has been noted under clause 3 of this rule.

2. In the absence of a quorum, fifteen members, including the Speaker, if there is one, shall be authorized to compel the

attendance of absent members, and in all calls of the House the doors shall be closed, the names of the members shall be called by the Clerk, and the absentees noted; and those for whom no sufficient excuse is made may, by order of majority of those present, be sent for and arrested, wherever they may be found, by officers to be appointed by the Sergeant-at-Arms for that purpose, and their attendance secured and retained; and the House shall determine upon what condition they shall be discharged. Members who voluntarily appear shall, unless the House otherwise direct, be immediately admitted to the Hall of the House, and they shall report their names to the Clerk to be entered upon the Journal as present.

3. On the demand of any member, or at the suggestion of the Speaker, the names of members sufficient to make a quorum in the Hall of the House who do not vote, shall be noted by the Clerk and recorded in the Journal, and reported to the Speaker with the names of the members voting and be counted and announced in determining the presence of a quorum to do business.

4. Whenever a quorum fails to vote on any question, and a quorum is not present and objection is made for that cause, unless the House shall adjourn, there shall be a call of the House, and the Sergeant-at-Arms shall forthwith proceed to bring in absent members, and the yeas and nays on the pending question shall at the same time be considered as ordered. The Clerk shall call the roll, and each member as he answers to his name may vote on the pending question, and, after the roll call is completed, each member arrested shall be brought by the Sergeant-at-Arms before the House, whereupon he shall be noted as present, discharged from arrest, and given an opportunity to vote and his vote shall be recorded. If those voting on the question and those who are present and decline to vote shall together make a majority of the House, the Speaker shall declare that a quorum is constituted, and the pending question shall be decided as the majority of those voting shall appear. And thereupon further proceedings

under the call shall be considered as dispensed with. At any time after the roll call has been completed, the Speaker may entertain a motion to adjourn, if seconded by a majority of those present, to be ascertained by actual count by the Speaker; and if the House adjourns, all proceedings under this section shall be vacated. But this section of the rule shall not apply to the sessions of Friday night, until further order of the House.

RULE XVI.

ON MOTIONS, THEIR PRECEDENCE, ETC.

1. Every motion made to the House and entertained by the Speaker shall be reduced to writing on the demand of any member, and shall be entered on the Journal with the name of the member making it, unless it is withdrawn the same day.

2. When a motion has been made, the Speaker shall state it or (if it be in writing) cause it to be read aloud by the Clerk before being debated, and it shall then be in possession of the House, but may be withdrawn at any time before a decision or amendment.

3. When any motion or proposition is made, the question, Will the House now consider it? shall not be put unless demanded by a member.

4. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be decided without debate), to postpone to a day certain, to refer, or to amend, or postpone indefinitely; which several motions shall have precedence in the foregoing order; and no motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, shall be again allowed on the same day at the same stage of the question.

5. The hour at which the House adjourns shall be entered on the Journal.

6. On the demand of any member, before the question is put, a question shall be divided if it include propositions so distinct in substance that one being taken away a substantive proposition shall remain.

7. A motion to strike out and insert is indivisible, but a motion to strike out being lost shall neither preclude amendment nor motion to strike out and insert; and no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

9. At any time after the reading of the Journal it shall be in order, by direction of the appropriate committees, to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue, or general appropriation bills.

10. No dilatory motion shall be entertained by the Speaker.

RULE XVII.

PREVIOUS QUESTION.

1. There shall be a motion for the previous question, which, being ordered by a majority of members voting, if a quorum be present, shall have the effect to cut off all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single motion, a series of motions allowable under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill to its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to

commit, with or without instructions, to a standing or select committee.

2. A call of the House shall not be in order after the previous question is ordered, unless it shall appear upon an actual count by the Speaker that a quorum is not present.

3. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

RULE XVIII.

RECONSIDERATION.

1. When a motion has been made and carried or lost, it shall be in order for any member of the majority, on the same or succeeding day, to move for the reconsideration thereof, and such motion shall take precedence of all other questions except the consideration of a conference report or a motion to adjourn, and shall not be withdrawn after the said succeeding day without the consent of the House, and thereafter any member may call it up for consideration: *Provided*, That such motion, if made during the last six days of a session, shall be disposed of when made.

2. No bill, petition, memorial, or resolution referred to a committee, or reported therefrom for printing and recommitment, shall be brought back into the House on a motion to reconsider; and all bills, petitions, memorials, or resolutions reported from a committee shall be accompanied by reports in writing which shall be printed.

RULE XIX.

OF AMENDMENTS.

When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order, and it shall also be in order to offer a further amend-

ment by way of substitute, to which one amendment may be offered, but which shall not be voted on until the original matter is perfected, but either may be withdrawn before amendment or decision is had thereon. Amendments to the title of a bill or resolution shall not be in order until after its passage, and shall be decided without debate.

RULE XX.

OF AMENDMENTS OF THE SENATE.

Any amendment of the Senate to any House bill shall be subject to the point of order that it shall first be considered in the Committee of the Whole House on the state of the Union if, originating in the House, it would be subject to that point.

RULE XXI.

ON BILLS.

1. Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker shall state the question to be: Shall the bill be engrossed and read a third time? and, if decided in the affirmative, it shall be read the third time by title, unless the reading in full is demanded by a member, and the question shall then be put upon its passage.

2. No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

3. No bill for the payment or adjudication of any private claim against the Government shall be referred, except by unanimous consent, to any other than the following-named

committees, viz: To the Committee on Invalid Pensions, to the Committee on Pensions, to the Committee on Claims, to the Committee on War Claims, to the Committee on Private Land Claims, and to the Committee on Accounts.

RULE XXII.

OF PETITIONS, MEMORIALS, BILLS, AND RESOLUTIONS.

1. Members having petitions or memorials or bills of a private nature to present may deliver them to the Clerk, indorsing their names and the reference or disposition to be made thereof; and said petitions and memorials and bills of a private nature, except such as, in the judgment of the Speaker, are of an obscene or insulting character, shall be entered on the Journal with the names of the members presenting them, and the Clerk shall furnish a transcript of such entry to the official reporters of debates for publication in the Record.

2. Any petition or memorial or private bill excluded under this rule shall be returned to the member from whom it was received; and petitions and private bills which have been inappropriately referred may, by the direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

3. All other bills, memorials, and resolutions may, in like manner, be delivered indorsed with the names of members introducing them, to the Speaker, to be by him referred, and the titles and references thereof and of all bills, resolutions, and documents referred under the rules, shall be entered on the Journal and printed in the Record of the next day, and correction in case of error of reference may be made by the House without debate in accordance with Rule XI on any day immediately after the reading of the Journal, by unanimous

consent, or on motion of a committee claiming jurisdiction, or on the report of the committee to which the bill has been erroneously referred.

4. When a bill, resolution, or memorial is introduced "by request," these words shall be entered upon the Journal and printed in the Record.

5. All resolutions of inquiry addressed to the heads of Executive Departments shall be reported to the House within one week after presentation.

RULE XXIII.

OF COMMITTEES OF THE WHOLE HOUSE.

1. In all cases, in forming a Committee of the Whole House, the Speaker shall leave his chair after appointing a chairman to preside, who shall, in case of disturbance or disorderly conduct in the galleries or lobby, have power to cause the same to be cleared.

2. Whenever a Committee of the Whole House or of the Whole House on the state of the Union finds itself without a quorum, which shall consist of one hundred members, the chairman shall cause the roll to be called, and thereupon the committee shall rise, and the chairman shall report the names of the absentees to the House, which shall be entered on the Journal; but if on such call a quorum shall appear, the committee shall thereupon resume its sitting without further order of the House.

3. All motions or propositions involving a tax or charge upon the people; all proceedings touching appropriations of money, or bills making appropriations of money or property, or requiring such appropriation to be made, or authorizing payments out of appropriations already made, or releasing any liability to the United States for money or property, or referring any claim to the Court of Claims, shall be first considered in a Committee of the Whole, and a point of order under this rule

shall be good at any time before the consideration of a bill has commenced.

4. In Committees of the Whole House business on their calendars may be taken up in regular order, or in such order as the committee may determine, unless the bill to be considered was determined by the House at the time of going into committee, but bills for raising revenue, general appropriation bills, and bills for the improvement of rivers and harbors shall have precedence.

5. When general debate is closed by order of the House, any member shall be allowed five minutes to explain any amendment he may offer, after which the member who shall first obtain the floor shall be allowed to speak five minutes in opposition to it, and there shall be no further debate thereon; but the same privilege of debate shall be allowed in favor of and against any amendment that may be offered to an amendment; and neither an amendment nor an amendment to an amendment shall be withdrawn by the mover thereof unless by the unanimous consent of the committee.

6. The committee may, by the vote of a majority of the members present, at any time after the five minutes' debate has begun upon proposed amendments to any section or paragraph of a bill, close all debate upon such section or paragraph, or, at its election, upon the pending amendments only (which motion shall be decided without debate); but this shall not preclude further amendment, to be decided without debate.

7. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection. Whenever a bill is reported from a Committee of the Whole with an adverse recommendation and such recommendation is disagreed to by the House, the bill shall stand recommitted to the said committee without further action by the House; but before the question of concurrence is submitted, it is in order to entertain a motion

to refer the bill to any committee, with or without instructions, and when the same is again reported to the House it shall be referred to the Committee of the Whole without debate.

8. The rules of proceeding in the House shall be observed in Committees of the Whole House so far as they may be applicable.

RULE XXIV.

ORDER OF BUSINESS.

1. The daily order of business shall be as follows:

First. Prayer by the Chaplain.

Second. Reading and approval of the Journal.

Third. Correction of reference of public bills.

Fourth. Disposal of business on the Speaker's table.

Fifth. Unfinished business.

Sixth. The morning hour for the consideration of bills called up by committees.

Seventh. Motions to go into Committee of the Whole House on the state of the Union.

Eighth. Orders of the day.

2. Business on the Speaker's table shall be disposed of as follows:

Messages from the President shall be referred to the appropriate committees without debate. Reports and communications from the heads of Departments, and other communications addressed to the House, and bills, resolutions, and messages from the Senate may be referred to the appropriate committees in the same manner and with the same right of correction as public bills presented by members; but House bills with Senate amendments which do not require consideration in a Committee of the Whole, may be at once disposed of as the House may determine, as may also Senate bills substantially the same as House bills already favorably reported by a committee of the House, and not required to be considered in

Committee of the Whole, be disposed of in the same manner on motion directed to be made by such committee.

3. The consideration of the unfinished business in which the House may be engaged at an adjournment, except business in the morning hour, shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of, and the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

4. After the unfinished business has been disposed of, the Speaker shall call each standing committee in regular order, and then select committees, and each committee when named may call up for consideration any bill reported by it on a previous day and on the House Calendar, and if the Speaker shall not complete the call of the committees before the House passes to other business, he shall resume the next call where he left off, giving preference to the last bill under consideration: *Provided*, That whenever any committee shall have occupied the morning hour on two days, it shall not be in order to call up any other bill until the other committees have been called in their turn.

5. After one hour shall have been devoted to the consideration of bills called up by committees, it shall be in order, pending consideration or discussion thereof, to entertain a motion to go into Committee of the Whole House on the state of the Union, or, when authorized by a committee, to go into the Committee of the Whole House on the state of the Union to consider a particular bill, to which motion one amendment only, designating another bill, may be made; and if either motion be determined in the negative, it shall not be in order to make either motion again until the disposal of the matter under consideration or discussion.

6. On Friday of each week, after the unfinished business has been disposed of, it shall be in order to entertain a motion that the House resolve itself into the Committee of the Whole

House to consider business on the Private Calendar; and if this motion fails, then public business shall be in order as on other days.

RULE XXV.

PRIORITY OF BUSINESS.

All questions relating to the priority of business shall be decided by a majority without debate.

RULE XXVI.

PRIVATE AND DISTRICT OF COLUMBIA BUSINESS.

1. Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.*

2. The House shall on each Friday at 5 o'clock p. m. take a recess until 8 o'clock, at which evening session private pension bills, bills for the removal of political disabilities,† and bills removing charges of desertion only shall be considered; said

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* On March 14, 1900, the House adopted the following order:

Resolved, That on all Fridays for the remainder of this Congress, except the second and fourth of each month, it shall be the order, the House having proceeded to the consideration of private business according to the provisions of section 6 of Rule XXIV and section 1 of Rule XXVI, to take up, in the Committee of the Whole House, bills on the Private Calendar under the following conditions: On the next Friday which the House may devote to private business, and on every alternate Friday thereafter which may be devoted to private business, bills reported from the Committee on Claims shall have priority over those reported from the Committee on War Claims; and on the remaining alternate Fridays devoted to private bills, those reported from the Committee on War Claims shall have priority over those from the Committee on Claims.

On December 2, 1907, this order was readopted for the Sixtieth Congress.

† Political disabilities arising from the civil war have been removed by a general law. (30 Stat. L., p. 432.)

evening session not to extend beyond 10 o'clock and 30 minutes.*

3. The second and fourth Mondays in each month, after the disposal of such business on the Speaker's table as requires reference only, shall, when claimed by the Committee on the District of Columbia, be set apart for the consideration of such business as may be presented by said committee.

RULE XXVII.

UNFINISHED BUSINESS OF THE SESSION.

All business before committees of the House at the end of one session shall be resumed at the commencement of the next session of the same Congress in the same manner as if no adjournment had taken place.

RULE XXVIII.

CHANGE OR SUSPENSION OF RULES.

1. No rule shall be suspended except by a vote of two-thirds of the members voting, a quorum being present; nor shall the Speaker entertain a motion to suspend the rules except on the first and third Mondays of each month, preference being given on the first Monday to individuals and on the third Monday to committees, and during the last six days of a session.

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* On March 8, 1900, the House adopted the following order:

Resolved, That during the remainder of this Congress the second and fourth Fridays in each month, after the disposal of such business on the Speaker's table as requires reference only, shall be set apart for the consideration of private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion. The provision herein made shall be in lieu of the evening session provided for by section 2 of Rule XXVI, and section 6 of Rule XXIV and section 1 of Rule XXVI are hereby modified to conform herewith."

On December 2, 1907, this order was readopted for the Sixtieth Congress.

2. All motions to suspend the rules shall, before being submitted to the House, be seconded by a majority by tellers, if demanded.

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for forty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition; and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

RULE XXIX.

CONFERENCE REPORTS.

1. The presentation of reports of committees of conference shall always be in order, except when the Journal is being read, while the roll is being called, or the House is dividing on any proposition. And there shall accompany every such report a detailed statement sufficiently explicit to inform the House what effect such amendments or propositions will have upon the measures to which they relate.

2. It shall not be in order to consider the report of a committee of conference until such report and the accompanying statement shall have been printed in the Record, except on either of the six days preceding the end of a session.

RULE XXX.

SECRET SESSION.

Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.

RULE XXXI.

READING OF PAPERS.

When the reading of a paper other than one upon which the House is called to give a final vote is demanded, and the same is objected to by any member, it shall be determined without debate by a vote of the House.

RULE XXXII.

DRAWING OF SEATS.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box, prepared for that purpose, a number of small balls, of marble or other material, equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished; and whenever the seats of Members and Delegates shall have been drawn, no proposition for a second drawing shall be in order during that Congress.

RULE XXXIII.

HALL OF THE HOUSE.

The Hall of the House shall be used only for the legislative business of the House and for the caucus meetings of its

members, except upon occasions where the House by resolution agree to take part in any ceremonies to be observed therein; and the Speaker shall not entertain a motion for the suspension of this rule.

RULE XXXIV.

OF ADMISSION TO THE FLOOR.

1. The persons hereinafter named, and none other, shall be admitted to the Hall of the House or rooms leading thereto, viz: The President and Vice-President of the United States and their private secretaries, judges of the Supreme Court, members of Congress and members elect, contestants in election cases during the pendency of their cases in the House, the Secretary and Sergeant-at-Arms of the Senate, heads of Departments, foreign ministers, governors of States, the Superintendent of the Capitol Building and Grounds, the Librarian of Congress and his assistant in charge of the Law Library, the Resident Commissioner to the United States from Porto Rico, such persons as have, by name, received the thanks of Congress, ex-members of the House of Representatives who are not interested in any claim or directly in any bill pending before Congress, and clerks of committees when business from their committee is under consideration; and it shall not be in order for the Speaker to entertain a request for the suspension of this rule or to present from the chair the request of any member for unanimous consent.

2. There shall be excluded at all times from the Hall of the House of Representatives and the cloakrooms all persons not entitled to the privilege of the floor during the session, except that until fifteen minutes of the hour of the meeting of the House persons employed in its service, accredited members of the press entitled to admission to the press gallery, and other persons on request of members, by card or in writing, may be admitted.

RULE XXXV.

OF ADMISSION TO THE GALLERIES.

The Speaker shall set aside a portion of the west gallery for the use of the President of the United States, the members of his Cabinet, justices of the Supreme Court, foreign ministers and suites, and the members of their respective families, and shall also set aside another portion of the same gallery for the accommodation of persons to be admitted on the card of members. The southerly half of the east gallery shall be assigned exclusively for the use of the families of members of Congress, in which the Speaker shall control one bench, and on request of a member the Speaker shall issue a card of admission to his family, which shall include their visitors, and no other person shall be admitted to this section.

RULE XXXVI.

OFFICIAL AND OTHER REPORTERS.

1. The appointment and removal, for cause, of the official reporters of the House, including stenographers of committees, and the manner of the execution of their duties, shall be vested in the Speaker.

2. Stenographers and reporters, other than the official reporters of the House, wishing to take down the debates and proceedings, may be admitted by the Speaker to the reporters' gallery over the Speaker's chair, under such regulations as he may, from time to time, prescribe; and he may assign one seat on the floor to Associated Press reporters, one to the Sun Press Association, and one to the Scripps-McRae League, and regulate the occupation of the same. And the Speaker may admit to the floor, under such regulations as he may prescribe, one additional representative of each press association.

RULE XXXVII.

PAY OF WITNESSES.

The rule for paying witnesses subpœnaed to appear before the House or either of its committees, shall be as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to or going from the place of examination, the sum of five cents each way; but nothing shall be paid for traveling when the witness has been summoned at the place of trial.

RULE XXXVIII.

PAPERS.

The clerks of the several committees of the House shall, within three days after the final adjournment of a Congress, deliver to the Clerk of the House all bills, joint resolutions, petitions, and other papers referred to the committee, together with all evidence taken by such committee under the order of the House during the said Congress and not reported to the House; and in the event of the failure or neglect of any clerk of a committee to comply with this rule the Clerk of the House shall, within three days thereafter, take into his keeping all such papers and testimony.

RULE XXXIX.

WITHDRAWAL OF PAPERS.

No memorial or other paper presented to the House shall be withdrawn from its files without its leave, and if withdrawn therefrom certified copies thereof shall be left in the office of the Clerk; but when an act may pass for the settlement of a claim, the Clerk is authorized to transmit to the officer in charge with the settlement thereof the papers on file in his office relating to such claim, or may loan temporarily to any

DIGEST

OF THE

RULES AND PRACTICE OF THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES.

FIRST SESSION, SIXTIETH CONGRESS.

[References to the journals and records of debates are preceded by figures indicating the session and the Congress; for example, 1-56 indicating the first session of the Fifty-sixth Congress. The figures in parentheses refer to sections of "Parliamentary Precedents of the House of Representatives."]

ABSENCE.

(*a*) *Granting leave of.*
(*b*) *Revoking leave of.*

(*a*) ***Granting leave of.***

By usage of the House, requests for leaves of absence may be presented pending the announcement of the vote that the House adjourn. (443) *1-43, Record, p. 2338.*

Less than a quorum may not grant, to a Member. (304) *2-53, Journal, pp. 326, 327.*

(*b*) ***Revoking leave of.***

A resolution or motion revoking leaves of absence does not require a quorum, being a proceeding to compel the attendance of absent Members. (312, 314) *1-43, Journal, p. 621; 1-51, Journal, p. 1031, Record, p. 9949.*

A resolution revoking leaves of absence is in order pending a call of the House, although a quorum may have been disclosed. (315) *2-53, Journal, pp. 256-25[illegible] Record, p. 3156.*

It has been held that a res[illegible] evoking leaves of absence, directing that absent Members be [illegible] to attend and dispensing with proceedings under a call [illegible] dence of a simple motion to dispense with pr[illegible] . (343) *2-53, Journal, pp. 330, 331, R[illegible]*

ABSENT MEMBERS.

See "Quorum" and "Call of the House."

ACCOUNTS, COMMITTEE ON.

(*a*) *Clerks, relations to.*
(*b*) *Duties of.*
(*c*) *Reports of.*
(*d*) *Temporary committee of.*

(*a*) ***Clerks, relations to.***

Conditions of the employment of clerks by Members. (24) *Decisions Comptroller, '93–'94, Bowler, pp. 43, 44.*

The Committee on Accounts authorizes and assigns clerks to committees. (1737) *2–55, Record, pp. 264, 265.*

(*b*) ***Duties of.***

Its powers, duties, jurisdiction, number of members, and history. (652) *Rule X, Rule XI, section 54.*

The Doorkeeper's inventory of furniture, etc., is referred to the Committee on Accounts for examination, etc. (1719) *Rule V, section 2.*

It is the duty of the Committee on Accounts to inquire into and report violations of the rule forbidding officers or employees to be claim agents. (1703) *Rule XLIII.*

The Committee on Accounts is required to investigate (with power to send for persons and papers and administer oaths) the management of the employees by the officers of the House, and report to the House once every session their compliance with this duty. *31 Stat. L., p. 968.*

The Clerk keeps the contingent fund and stationery accounts. (1712) *Rule III, section 3.*

The approval of the Committee on Accounts is conclusive as to lawful expenditures from the contingent fund. (1735) *Decisions of the Comptroller, Bowler, Vol. II, p. 24.*

(*c*) ***Reports of.***

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

The privilege of the Committee on Accounts is confined to resolutions making expenditures from the contingent fund of the House. *3–55, Record, p. 2761; 2–58, Record, pp. 3763, 3764, 5281; 1–59, Record, pp. 8485, 8486, 9388, 9389.*

A resolution from the Committee on Accounts, relating to management of the House restaurant, was not received as a matter of privilege. *2–58, Record, p. 5581.*

A resolution from the Committee on Accounts to authorize an appropriation for extra compensation to an employe, is not privileged. *3–58, Record, p. 1781.*

ACCOUNTS, COMMITTEE ON—Continued.

(*c*) ***Reports of***—Continued.

The most recent decisions are that resolutions appropriating from the contingent fund need not be considered in Committee of the Whole, but earlier decisions are the other way. (1728–1733) *2–50, Record, pp. 356, 357; 1–51, Record, p. 376; 2–51, Record, p. 2199; 1–52, Record, p. 6945; 2–52, Record, p. 2431; 2–54, Record, p. 271.*

(*d*) ***Temporary committee.***

At the end of each Congress the Speaker appoints a temporary Committee on Accounts, to continue until the organization of the House in the next Congress. (48, 1734) *28 Stat. L., p. 768.*

The Comptroller of the Treasury has no jurisdiction over accounts approved by the temporary Committee on Accounts. (1755) *Decisions of Comptroller, Vol. II, p. 339.*

As to the allowances for clerk hire to the chairman of the temporary Committee on Accounts. (1736) *Decisions of the Comptroller (Bowler), Vol. I, p. 384.*

ACOUSTICS.

Subjects relating to acoustics belong to the jurisdiction of the Committee on Ventilation and Acoustics. (649) *Rule XI, section 41.*

ACTS.

The Speaker signs all acts. (45) *Rule I, section 4.*

ADDRESSES.

To be signed by the Speaker. (45) *Rule I, section 4.*

ADHERE, MOTION TO.

(*a*) *General provisions.*

(*b*) *Precedence of.*

(*a*) ***General provisions.***

Parliamentary law relating to adherence. (1321, 1322) *Jefferson's Manual, Sections XLV, XXXVIII, pp. 194, 205.*

The parliamentary law governing the precedence and the effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

The regular progression for disagreeing, insisting, and adhering in amendments between the Houses. (1321) *Jefferson's Manual, section XLV, p. 205.*

After one House has adhered the other may recede or ask a conference, which may be agreed to by the adhering House. (1358–1362) *1–1, Journal, pp. 104, 113, 114, 116, 156, 157; 1–2, Journal, pp. 152, 551; 1–3, Journal, pp. 133, 221; 1–35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

ADHERE, MOTION TO—Continued.

(*a*) ***General provisions***—Continued.

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. (1357) *1-1, Journal, pp. 107, 108.*

The House may recede from its adherence. *1-57, Record, pp. 7387-7388.*

The House may agree to a conference without reconsidering its vote to adhere. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

An instance of prolonged disagreement, ending in adherence by both Houses. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

Instances have occurred where one House has adhered at once, and then has even refused a conference. (1363) *1-19, Journal, pp. 485, 510, 513, 517, 541, 545, 550, 568, 576, 590, Debates, pp. 2601, 2603.*

The House having adhered to its disagreement to a Senate amendment, and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. *1-57, Journal, pp. 833, 848, Record, pp. 7113, 7387.*

The managers of a conference having reported inability to agree, the House voted to adhere to its disagreement to the Senate amendment, whereupon the Senate receded from it. *2-59, Record, pp. 4247, 4289.*

The Senate having asked "a full and free conference" on the differences as to all of its amendments to a bill, the House, ignoring this request, adhered as to two amendments, agreed to a third, and further insisted and asked a conference as to the remainder, which conference was granted. *1-57, Record, p. 7113, Journal, p. 833.*

(*b*) ***Precedence of.***

Pending a demand for the previous question on the motion to adhere, a motion to recede was not entertained. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

The motion to insist has precedence of the motion to adhere. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

Where one House has voted at once to adhere the other may insist and ask a conference; but the motion to recede has precedence. (1364) *1-23, Journal, p. 229, Debates, pp. 2493, 2494, 2498.*

ADJOURN, MOTION TO.

(*a*) *Nature and effect of.*

(*b*) *Precedence of.*

(*c*) *Intervening business to justify a repetition of.*

ADJOURN, MOTION TO—Continued.

(*d*) *Quorum, relative to.*

(*e*) *Rules, suspension of, etc., relative to.*

(*f*) *Fix the day to.*

(*a*) ***Nature and effect of.***

A motion to adjourn may not be amended. (1487) *Jefferson's Manual, Section L, page 215.*

The motion to adjourn is in order only in its simple form. (1494) *2-55, Record, p. 2024; 2-58, Record, p. 2208.*

The Speaker *pro tempore* whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and under the circumstances was the only motion in order. (57) *1-44, Journal, p. 1153, Record, p. 4132.*

Effect of the terms of a special order upon motions to adjourn and for a recess. (1272-1276) *2-50, Journal, pp. 321, 394, Record, pp. 1062, 1400; 2-53, Journal, pp. 292-295, Record, p. 3349; 2-53, Journal, p. 299, Record, p. 3403; 2-53, Journal, p. 454, Record, pp. 6906, 6919, 6920; 3-53, Journal, pp. 105, 110, 114.*

It is not in order to move to reconsider a vote whereby the House has refused to adjourn. (1197, 1198) *2-45, Journal, p. 139, Record, p. 243.*

The motion to adjourn is not in order in Committee of the Whole. (744) *Jefferson's Manual, Section XII, p. 148.*

When, through an erroneous announcement of the vote, the House is declared adjourned, and in fact disperses, the session when it next meets is a new legislative day. (1493) *2-49, Record, p. 314.*

The Committee of the Whole having risen for want of a quorum, and the roll having shown a quorum, a motion to adjourn was entertained and negatived; and although on that motion a quorum did not vote, the Speaker *pro tempore* ruled that the committee should resume its session under the rule. (283) *3-46, Record, pp. 1628, 1629.*

A Member whose intention to raise the question of consideration had been frustrated by an affirmative vote on a motion to adjourn was allowed to raise the question on the succeeding day. (812) *3-44, Journal, p. 252, Record, p. 725.*

(*b*) ***Precedence of.***

It is a privileged motion and has a precedence determined by rule. (924) *Rule XVI, section 4.*

The rule defining questions of privilege, and giving them preference over all motions but the motion to adjourn. (94) *Rule IX.*

The motion to adjourn is admitted while the House is acting "as in Committee of the Whole." (802) *Jefferson's Manual, Section XXX, p. 172.*

ADJOURN, MOTION TO—Continued.

(*b*) ***Precedence of***—Continued.

No question being under debate, a motion to fix the day to which the House should adjourn already made was held not to give way to a motion to adjourn. (1512) *2-55, Record, p. 1637.*

No question being under debate, and a motion to adjourn having been made, motions for a recess and to fix the day to which the House should adjourn, were not entertained. *2-58, Record, p. 2178.*

Before the Journal is read a simple motion to adjourn may be entertained. (222) *2-50, Record, pp. 676, 677.*

Any Member of the majority may make the motion to reconsider, which takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

The House may adjourn after the yeas and nays are ordered and before they are taken. (1492) *2-54, Record, p. 2017.*

A conference report may be presented after a motion to adjourn has been made, but the report need not be disposed of before the motion to adjourn is put. (1393-1395) *2-50, Record, pp. 678, 683; 1-51, Journal, p. 822, Record, pp. 6941, 6942.*

A roll call may not be interrupted by a motion to adjourn. (1170) *1-47, Journal, pp. 597, 641, Record, pp. 1238, 1245, 1366.*

The motion to adjourn takes precedence of all others, but may not be received while the House is engaged in voting. (1487) *Jefferson's Manual, Section XXXIII, p. 175.*

A motion to adjourn may not be made while a Member is speaking. (845, 1487, 1489) *1-53, Journal, p. 117; Jefferson's Manual, Section XX, p. 162; 2-51, Journal, pp. 14, 15, Record, p. 35.*

According to the later practice, a motion to adjourn is not in order after the House has voted to go into Committee of the Whole. (1490, 1491) *1-47, Journal, p. 609, Record, p. 1252; 2-49, Journal, p. 353, Record, p. 917.*

The House having voted to resolve itself into Committee of the Whole, the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. *2-57, Journal, p. 271, Record, pp. 2228, 2229.*

(*c*) ***Intervening business to justify a repetition of.***

There must be intervening business before a motion to adjourn may be repeated. (1496) *1-31, Journal, p. 1092.*

A motion to adjourn may be repeated although no question may have been put and decided in the meanwhile. (1497) *1-33, Journal, p. 651.*

Ordering the yeas and nays is such intervening business as to justify a repetition of the motion to adjourn. (1499) *1-50, Record, pp. 2713, 2714.*

ADJOURN, MOTION TO—Continued.

(*c*) ***Intervening business to justify a repetition of***—Continued.

A motion to adjourn is not of itself such intervening business as to allow the repetition of a motion to fix the day to which the House shall adjourn. (1501) *2–48, Journal, p. 428, Record, pp. 1176, 1177.*

When privileged, the motion to fix the day to which the House shall adjourn may be repeated after intervening business. (1510, 1511) *2–52, Journal, p. 104, Record, p. 1960; 1–53, Journal, p. 162.*

A decision of the Chair on a question of order having been made, a motion to adjourn may be repeated. (1500) *2–53, Journal, pp. 330, 331, Record, p. 3715.*

(*d*) ***Quorum, relative to.***

A quorum not being present no motion is in order but for a call of the House or to adjourn. (298) *1–29, Journal, p. 355.*

During a call of the House a motion to adjourn is in order pending the call of the roll for excuses. (335) *2–53, Journal, pp. 68, 69, Record, p. 512.*

During a call of the House, under section 4 of Rule XV, a motion to adjourn must be seconded by a majority. (294) *2–54, Journal, p. 175, Record, p. 1858.*

A motion to adjourn may be made before the call of the roll under section 4 of Rule XV. *3–55, Record, p. 1962.*

A quorum having failed to vote on a motion to adjourn, and the motion not being carried, a case is not presented for the use of section 4 of Rule XV. (288) *1–54, Record, p. 4915.*

(*e*) ***Rules, suspension of, etc., relative to.***

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. (1559) *Rule XVI, section 8.*

Pending a motion to suspend the rules, a motion to adjourn having been voted down and no quorum voting to second the former motion, it was held that the motion to adjourn might be repeated. (1502) *2–50, Journal, 103, Record, pp. 300, 301.*

After a motion to suspend the rules has been made, and one motion to adjourn has been negatived, a second motion to adjourn may be entertained after the lack of a quorum has been ascertained. *3–55, Record, p. 2121.*

When a quorum fails after a motion to suspend the rules, the motion to adjourn may not be repeated unless a quorum fails to appear on a call of the House. (1567) *1–47, Record, pp. 2081, 2082, 2088.*

Pending consideration of a report of the Committee on Rules, one motion to adjourn may be entertained, but thereafter no dilatory motion. (398, 1544, 1546) *Rule XI, section 59; 1–52, Journal, p. 126, Record, p. 2837; 1–53, Journal, pp. 520, 521, Record, p. 8009.*

ADJOURN, MOTION TO—Continued.

(*f*) ***Fix the day to.***

This motion is not now in the list of privileged motions. (924) ***Rule** XVI, section 4.*

The motion to fix the day to which the House shall adjourn is not debatable. (1513, 1514) *1-55, Record, pp. 672, 743.*

It may be amended. (1510, 1511) *2-52, Journal, p. 104, Record, p. 1960; 1-53, Journal, p. 162.*

A motion to suspend the rules is in order pending a motion to fix the day to which the House shall adjourn, even when the latter motion is highly privileged. (1603) *2-52, Journal, pp. 75, 76, Record, p. 1255.*

The absence of a quorum being disclosed, a motion to fix the day to which the House shall adjourn is not in order, and may not be entertained, although a quorum is disclosed on an affirmative vote on the motion to adjourn. (262) *2-53, Journal, p. 188.*

A motion to fix the day to which the House shall adjourn is not in order during a call of the House. (326) *2-53, Journal, pp. 177, 194, Record, pp. 2297, 2300, 2388.*

When privileged, the motion to fix the day to which the House should adjourn was held to be in order before the announcement of a vote which had been taken. (1509) *1-26, Journal, p. 266, Globe, p. 158.*

ADJOURNMENT.

(*a*) *Constitutional and parliamentary provisions.*
(*b*) *Arrival of the hour for.*
(*c*) *Delayed.*
(*d*) *For more than one day.*
(*e*) *Three days, for more than.*
(*f*) *Final adjournment.*
(*g*) *Effect of final adjournment on pending business.*
(*h*) *In memoriam.* See "Ceremonies."

(*a*) ***Constitutional and parliamentary provisions.***

Provisions of the Constitution relating to adjournment. (1486) ***Article** I, section 5, p. 5; Article II, section 3, p. 23.*

Neither House shall adjourn for more than three days or to another place without the consent of the other. (1486) ***Constitution, Article** I, section 5, p. 6.*

Provisions of the parliamentary law relating to adjournment. (1487) *Jefferson's Manual, Sections XX, XXXIII, L, pp. 162, 175, 215.*

It is no adjournment until the Speaker pronounces it. (1487) ***Jefferson's** Manual, Section L, p. 215.*

The hour of adjournment is entered on the Journal. (1488) ***Rule** XVI, section 5.*

ADJOURNMENT—Continued.

(*a*) ***Constitutional and parliamentary provisions***—Continued.

Adjournment may be had for more than a day before organization of the House. (4 footnote) *1-34, Journal, p. 172, Globe, pp. 78, 79.*

(*b*) ***Arrival of the hour for.***

When the hour previously fixed for an adjournment arrives, the Speaker declares the House adjourned. (1495) *1-54, Record, p. 2293.*

The hour previously fixed for the adjournment of the House arriving while the Committee of the Whole is still in session, the Chairman may direct the committee to rise and make his report as though the committee had risen on motion in the regular way. (758) *1-54, Record, p. 3062.*

When the House adjourns before 5 p. m. Friday, the evening session is thereby vacated. (1440) *1-54, Record, p. 6174.*

By usage of the House, requests for leaves of absence and reports of the Committee on Enrolled Bills may be presented pending the announcement of the vote that the House adjourn. (443) *1-43, Record, p. 2338.*

It has been held that when the question of consideration is undisposed of at an adjournment it does not recur as unfinished business on the succeeding day. (820, 821) *2-53, Journal, pp. 57, 66, 67, Record, pp. 501, 508, 509.*

(*c*) ***Delayed.***

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. (1505) *1-33, Journal, pp. 804, 811, Globe, p. 1177.*

The Committee of the Whole being in session when the hour arrives for the next regular meeting of the House, it rests with the committee to determine whether or not it will rise. (1506, 1507) *1-24, Globe, p. 434; 1-26, Globe, p. 285.*

A single legislative day once extended through a month. (1271) *1-50, Record, pp. 2749, 2755.*

A session of the House extending, by failure to adjourn, through the next calendar day, a special order for the latter day falls, as the session is of the legislative and not the calendar day. (1271) *1-50, Journal, pp. 1491, 1505, 1506, Record, pp. 2749, 2755.*

An adjournment does not necessarily take place at 12 p. m. Saturday, it being for the House to determine whether or not it will continue in session on Sunday. (1503, 1504) *1-24, Journal, pp. 577-582, Globe, p. 265; 2-44, Record, p. 2242.*

ADJOURNMENT—Continued.

(*d*) ***For more than one day.***

Sunday is not taken into account in an adjournment for more than one and less than three legislative days. (1508) *1-54, Record, p. 401.*

The House has, under the terms of a special rule, met only on Mondays and Thursdays of each week. (1515) *1-55, Record, p. 933.*

(*e*) ***Three days, for more than.***

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. (1519) *2-37, Journal, pp. 718, 720, Globe, pp. 2246, 2262.*

When the two Houses adjourn for more than three days, and not to or beyond the period fixed by the Constitution or law for the next regular session, the session is not thereby terminated, but continues until an adjournment without day or until the next regular session. (1516, 1517) *1-39, Journal, pp. 107, 108, Globe, p. 127; 2-39, Journal, 106, Globe, p. 237.*

The two Houses may, by concurrent resolution, provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. (1518) *1-40, Journal, pp. 157, 158, 184, Globe, pp. 454, 589.*

(*f*) ***Final adjournment.***

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. *2-58, Record, pp. 1397-1408, 1407-1415.*

A concurrent resolution fixing the day for final adjournment is privileged, but is subject to the motion to commit. (1520) *1-50, Journal, p. 2941, Record, pp. 9546, 9547.*

The Constitution provides that a concurrent resolution relating to the adjournment of the two Houses need not be presented to the President for approval. (452) *Article I, section 7, p. 7.*

The President may convene both Houses or either of them, and, in case of disagreement as to adjournment, may adjourn them. (1486) *Constitution, Article I, section 5; Article II, section 3, pp. 6, 23.*

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4 unless a motion is made and carried for an adjournment previous to that hour. (1521, 1522) *2-31, Globe, pp. 784, 918-920; 3-46, Record, p. 2456.*

Forms of resolutions adopted for final adjournment, thanks to the Speaker, and notification of the President. (1531, 1532) *2-54, Record, pp. 2981, 2986; 1-55, Record, p. 2973.*

When the hour for final adjournment arrives the Speaker, either on motion or without, declares the House adjourned *sine die.* (1527-1530) *2-32, Journal, p. 431; 1-35, Journal, p. 1148.*

ADJOURNMENT—Continued.

(*f*) ***Final adjournment***—Continued.

Sometimes the Speaker interrupts a roll call when the hour for adjournment *sine die* arrives. (1365, 1523, 1526) *1-28, Journal, p. 1175; Globe, p. 696; 2-44, Journal, p. 698, Record, p. 2251.*

The hour fixed for adjournment *sine die* having arrived, the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. (276) *2-23, Globe, p. 332.*

At the time of final adjournment the clerks of committees are required to deliver to the Clerk of the House the papers of the committee. (1751) *Rule XXXVIII, section 1.*

(*g*) ***Effect of final adjournment on pending business.***

The Journal of the last day of a session that has adjourned without day is not read at the first day of the succeeding session. (216) *2-44, Journal, pp. 18-22, Record, pp. 13, 14.*

On the last legislative day of a session the Journal is sometimes read and approved as far as read. *2-56, Record, p. 3564.*

The reading of a message from the President having been prevented in the closing hours of a session, it was read at the beginning of the next session. (350) *1-30, Journal, p. 1293, Globe, p. 1082; 2-30, Journal, p. 54.*

The rule relating to business before committees unfinished at the end of a session. (367) *Rule XXVII.*

A committee, with leave of the House, may sit during recess between the first and second sessions of Congress. (602 footnote) *1-32, Journal, p. 1119, Globe, pp. 2414, 2418.*

A conference committee may continue through the recess between two sessions of the same Congress. *1-57, Journal, p. 818; 2-57, Journal, p. 16, Record, p. 42.*

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. *2-57, Journal, p. 16, Record, p. 42; 1-57, Journal, p. 875.*

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. *2-57, Journal, pp. 266, 282, 284, Record, p. 2412; 2-59, Record, p 4133.*

ADMISSION TO THE FLOOR.

The rule governing admission to the floor. (1740) *Rule XXXIV.*

An alleged violation of the rule relating to admission to the floor is a question of privilege. (129) *1-49, Journal, p. 781, Record, p. 1905.*

ADVERSE REPORTS.

The House usually allows the withdrawal of papers only in cases where there has been no adverse report. (1753) *1-54, Record, pp. 91, 92.*

A bill being reported from the Committee of the Whole with an adverse recommendation, and the House having disagreed to the recommendation, the bill stands recommitted. (938) *Rule XXIII, section 7.*

The rule regulating the making of nonprivileged reports from committees. (346) *Rule XIII, section 2.*

AGENTS.

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. (1703) *Rule XLIII.*

AGREE, MOTION TO.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. (1321) *Jefferson's Manual, Section XLV, p. 206; 1-57, Record, pp. 4531-4541, 4542, 4593-4601, 4629, 4642.*

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

The negative of the motion to agree, or concur, in Senate amendments is equivalent to disagreement or nonconcurrence. *Jefferson's Manual, Section XXXVIII, p. 194.*

Before the stage of disagreement has been reached the motion to refer Senate amendments has precedence of the motion to concur. (1343-1345) *1-48, Record, p. 3942; 2-52, Journal, p. 101, Record, p. 1954; 2-54, Record, p. 372.*

The stage of disagreement not having been reached, the motion to concur with an amendment has precedence of the simple motion to concur. (1346) *2-55, Record, pp. 839, 840.*

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. (1349-1353) *2-53, Journal, p. 557, Record, p. 8389; 3-53, Journal, p. 185, Record, p. 3178; 1-54, Record, pp. 2661, 6068; 2-55, Record, p. 6731.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1-55, Record, pp. 2641, 2642.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

AGREE, MOTION TO—Continued.

A motion being made to concur with an amendment, it is in order to propose to that amendment an amendment and a substitute. (1347) *1-55, Record, pp. 810-812.*

The House may disagree to certain Senate amendments to a bill, agree to others with amendment, and ask a conference only on the disagreement, leaving to the Senate to agree or disagree to the amendments to Senate amendments. *2-59, Record, pp. 1305, 1541, 1552.*

An amendment of the other House may be agreed to with an amendment, and in turn the latter amendment may be agreed to with an amendment. *1-56, Record, pp. 6840, 6841.*

When the House disagrees to a Senate amendment after amending it, the adopted amendment is of no effect. *1-57, Record, pp. 4531-4541, 4542.*

The question on the adoption of a conference report has precedence of a motion to recede and concur in amendments of the other House. *3-55, Record, p. 2927.*

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. *2-56, Record, pp. 2257, 2258.*

AGRICULTURE, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (619) *Rule X, Rule XI, section 10.*

The committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. *2-56, Record, p. 140.*

ALCOHOLIC LIQUOR TRAFFIC, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (646) *Rule X, Rule XI, section 38.*

AMENDMENT.

(*a*) *Privilege and nature of the motion.*
(*b*) *Its relation to other motions to amend.*
(*c*) *Power of Speaker and Members over.*
(*d*) *Its relation to bills and resolutions.*
(*e*) *Striking out and inserting.*
(*f*) *Withdrawal of.*
(*g*) *Previous question, relative to.*
(*h*) *Debate, relative to.*
(*i*) *Relative to suspension of rules.*
(*j*) *Points of order, in relation to.*

AMENDMENT—Continued.

(*k*) *Special orders, relations to.*
(*l*) *In Committee of the Whole, priority of amendments.*
(*m*) *Senate amendments in Committee of the Whole.*
(*n*) *Disposition of amendments reported from Committee of the Whole.*
(*o*) *Senate amendments in general.*
(*p*) *Germane, must be.*
(*q*) *Illustrations of germane amendments.*
(*r*) *Not germane.*
(*s*) *Substitute.* See "Substitute amendments."
(*t*) *Of the Journal.* See "Journal."
(*u*) *Of the Constitution.* See "Constitution of the United States."

(*a*) ***Privilege and nature of the motion.***

It is a privileged motion and has a precedence determined by rule. (924) *Rule XVI, section 4.*

General provisions of the parliamentary law relating to amendments. (1046) *Jefferson's Manual, Sections XXIV, XXXV, pp. 164, 186–190.*

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. *1–57, Record, p. 2495.*

Amendments recommended by a committee are disposed of before amendments offered by Members. (1049, footnote.)

A Member may not offer as an amendment a paper already in possession of the House, and consequently a part of the files of the House. *1–57, Record, p. 5833; 2–57, Record, p. 1078.*

A Member who has occupied five minutes on a pro forma amendment, may not by making another pro forma amendment, lengthen his time. *2–58, Record, p. 3532.*

A Member who yields the floor to another to offer an amendment loses his right to reoccupy it. *2–58, Record, p. 1428.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. (1321) *Jefferson's Manual, Section XLV, p. 206.*

It is in effect an amendment of the rules to impose other duties upon an officer of the House than those already prescribed. (1534) *1–31, Journal, p. 456, Globe, p. 277.*

Nature of the amendment authorized by section 5 of Rule XXIV, relating to going into Committee of the Whole House on the state of the Union. (388) *2–55, Record, p. 4988.*

When, by authority of a committee, a motion is made to go into Committee of the Whole to consider a particular bill (not a revenue or appropriation bill) an amendment designating another bill may be offered by a Member individually. (387) *2–51, Journal, p. 103, Record, p. 961.*

AMENDMENT—Continued.

(*b*) ***Its relation to other motions to amend.***

Under the rule relating to amendments the following motions are in order: To amend; to amend that amendment; for a substitute; and to amend the substitute. (1043) *Rule XIX.*

Application of the motion to amend to other motions and other amendments. (1045) *Jefferson's Manual, Section XXXIII, pp. 181, 182.*

An amendment to an amendment is in order, but a motion may not be made to amend in the third degree. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

A motion to suspend the rules may not be amended. (1579, 1580) *2–30, Globe, pp. 319, 320; 2–35, Journal, p. 477, Globe, p. 1324.*

A motion to amend the motion for the previous question is not in order. (1045) *Jefferson's Manual, Section XXXIII, p. 181.*

A motion to adjourn may not be amended. (1487) *Jefferson's Manual, Section L, p. 215.*

The motion to fix the day to which the House shall adjourn may be amended. (1510, 1511) *2–52, Journal, p. 104, Record, p. 1960; 1–53, Journal, p. 162.*

It is in order to amend a motion to postpone. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

The motion to resolve into Committee of the Whole to consider a privileged bill is not amendable or debatable. *1–59, Record, p. 7248.*

The previous question not being asked or ordered, the motion to commit is amendable, as by adding instructions. (1010) *1–47, Journal, p. 1724, Record, p. 6475.*

A motion to commit may be amended, as by adding, for example, "with instructions to inquire," etc. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

The motion to recommit under section 1 of Rule XVII is subject to amendment. (1012) *1–49, Journal, pp. 378, 379, Record, pp. 694, 695.*

The motion to commit under section 1 of Rule XVII is amendable under the rules of the House unless the previous question is ordered upon it. (1011–1013) *1–48, Journal, p. 1430; 1–49, Journal, pp. 378, 379, Record, pp. 694, 695; 3–53, Journal, pp. 28, 29, Record, p. 230.*

An amendment once agreed to may not be amended. (1048) *1–19, Journal, p. 794, Debates, p. 1261.*

Two independent amendments may be voted on together, only by unanimous consent. *3–58, Record, p. 1056.*

AMENDMENT. [illegible]

[illegible] Members over.

[illegible] Chair to pass upon the consistency of a proposed [illegible] proposition already agreed to. *2–56, Record, pp.* [illegible] *Record, pp. 2590, 3634; 2–58, Record p. 2447.*

[illegible] of a proposed amendment may conflict with a [illegible] already agreed to, does not constitute a reason for the [illegible] it out. *2–56, Record, pp. 319, 320.*

[illegible] amendment proposed to a Senate amendment would [illegible] change a provision of the text to which both Houses have [illegible], does not constitute a reason why the Speaker should rule [illegible] *Record, pp. 2189–2190.*

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. *1–57, Record, pp. 5643, 5644.*

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed upon by the House and not by the Chair. *1–59, Record, pp. 5631, 5635, 5664.*

A proposed amendment may not be accepted by the Member in charge of the pending measure, but can be agreed to only by the House. *1–57, Record, p. 1145; 3–58, Record, pp. 659, 660.*

The question on agreeing to committee amendments is put by the Chair without motion from the floor. *1–59, Record, p. 7445.*

(*d*) *In relation to bills and resolutions.*

Changes of reference of public bills are made without amendment. (447) *Rule XXII, section 3.*

A bill may not be amended on its first reading. (1046) *Jefferson's Manual, Section XXIV, p. 164.*

A Senate bill may not be amended in the House after it has passed to the third reading. *2–58, Record, p. 1470.*

In the House amendments are offered to any part of a bill after it is read the second time. *1–57, Record, p. 6938.*

According to the later practice, a bill recalled from the President may not be amended by the two Houses. *1–57, Record, pp. 2845, 2876, 2926, 3754, 4141.*

Blanks left in a bill by one House may be filled by amendments made by the other. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

The amendment of the numbering of the sections of a bill is done by the Clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190; 1–57, Record, p. 6777.*

AMENDMENT—Continued.

(*d*) ***In relation to bills and resolutions***—Continued.

Committees may not interline or blot bills, but must set down the amendment separately. (601) *Jefferson's Manual, Section XXVI, p. 141.*

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly, through a motion to recommit with instructions. (457, 1032, 1075, 1080) *1-49, Journal, pp. 702, 703; Record, pp. 1619, 1620; 2-32, Journal, p. 414; 1-54, Record, p. 4096.*

It is not in order, by way of amendment, either directly or indirectly, to convert a public into a private bill. (1033, 1034) *1-48, Journal, p. 761; 2-53, Journal, pp. 350, 351, Record, p. 4011.*

An amendment providing for the enactment of a general provision of law is not germane to a bill for the relief of a private individual. (1074, 1430). *1-31, Journal, p. 784, Globe, p. 714; 1-52, Journal, pp. 311-312, Record, p. 6474.*

A motion to recommit a bill with instructions to bring the same subject-matter back in the form of a joint resolution is in order. (1012) *1-49, Journal, pp. 378, 379, Record, pp. 694, 695.*

The text of a bill containing nonprivileged matter, privilege may not be created by a committee amendment in the nature of a substitute, not containing the nonprivileged matter. *3-58, Record, pp. 2422, 2423.*

It was decided, by reason of conditions arising from former Rule No. 114, that a resolution of the House could not be amended so as to convert it into a joint resolution. (456) *1-32, Journal, p. 679, Globe, p. 1275.*

Amendments to the title of a bill or resolution are not in order until after its passage, and are voted on without debate. (1043) *Rule XIX.*

An amendment to the title of a bill is not in order on the day succeeding its passage, before the reading of the Journal. (1055) *2-53, Journal, p. 132, Record, pp. 1806, 1807.*

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. *1-59, Record, pp. 7102-7105.*

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. *1-59, Record, p. 2693.*

(*e*) ***Striking out and inserting.***

The motion to strike out and insert is not divisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert. (1044) *Rule XVI, section 7.*

AMENDMENT—Continued.

(*c*) ***Power of Speaker and Members over.***

It is not for the Chair to pass upon the consistency of a proposed amendment with a proposition already agreed to. *2-56, Record, pp. 2098, 2099; 1-57, Record, pp. 2590, 3634; 2-58, Record p. 2447.*

Because the terms of a proposed amendment may conflict with a proposition already agreed to, does not constitute a reason for the Chair to rule it out. *2-56, Record, pp. 319, 320.*

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed, does not constitute a reason why the Speaker should rule it out. *1-57, Record, pp. 2189-2190.*

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. *1-57, Record, pp. 5643, 5644.*

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed upon by the House and not by the Chair. *1-59, Record, pp. 5631, 5635, 5664.*

A proposed amendment may not be accepted by the Member in charge of the pending measure, but can be agreed to only by the House. *1-57, Record, p. 1145; 3-58, Record, pp. 659, 660.*

The question on agreeing to committee amendments is put by the Chair without motion from the floor. *1-59, Record, p. 7445.*

(*d*) ***In relation to bills and resolutions.***

Changes of reference of public bills are made without amendment. (447) *Rule XXII, section 3.*

A bill may not be amended on its first reading. (1046) *Jefferson's Manual, Section XXIV, p. 164.*

A Senate bill may not be amended in the House after it has passed to the third reading. *2-58, Record, p. 1470.*

In the House amendments are offered to any part of a bill after it is read the second time. *1-57, Record, p. 6938.*

According to the later practice, a bill recalled from the President may not be amended by the two Houses. *1-57, Record, pp. 2845, 2876, 2926, 3754, 4141.*

Blanks left in a bill by one House may be filled by amendments made by the other. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

The amendment of the numbering of the sections of a bill is done by the Clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190; 1-57, Record, p. 6777.*

AMENDMENT—Continued.

(e) *Striking out and inserting*—Continued.

An amendment in the form of a new and separate paragraph may be offered to any part of the bill to which it is germane. *1-57, Record, pp. 2598, 2599.*

It is in order by a motion to insert, to effect a transfer of paragraphs from the latter to the first portion of a bill. *2-58, Record, pp. 3524, 3527; 3-58, Record, pp. 1734, 1735.*

A motion to strike out and insert certain words being defeated does not preclude a motion to strike out and insert certain other words or prevent the simple motion to strike out. (1047) *Jefferson's Manual, Section XXXV, p. 188.*

A motion to strike out and insert certain words being decided affirmatively thereby precludes another motion to strike out the words inserted and insert others. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. *2-58, Record, p. 2693.*

It is not in order to amend an amendment that has been agreed to; but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. *1-57, Record, pp. 1614, 1616.*

While a large part of a proposed amendment may be identical with some provisions of the bill already stricken out, yet if as a whole it contains matter substantially different from that already voted on it is not necessarily out of order. (1053) *2-48, Journal, p. 191, Record, pp. 534, 553.*

A bill being under consideration by paragraphs a motion to strike out was held to apply only to the paragraphs under consideration. *1-56, Record, p. 5981.*

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute. *1-57, Record, p. 6114.*

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. *1-57, Record, p. 5833.*

When it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. *1-57, Record, p. 3636.*

The motion to strike out the enacting clause has precedence of the motion to amend. (938) *Rule XXIII, section 7.*

AMENDMENT—Continued.

(*f*) ***Withdrawal of.***

All motions shall be stated by the Speaker or read by the Clerk, and shall then be in possession of the House, but may be withdrawn before a decision or amendment. (923) *Rule XVI, section 2.*

In Committee of the Whole an amendment may be withdrawn only by unanimous consent. (913) *Rule XXIII, section 5.*

An amendment, whether in the nature of a substitute or not, may be withdrawn in the House at any time before an amendment or decision is had thereon. (1043) *Rule XIX.*

During consideration of a bill in "the House as in Committee of the Whole," an amendment may be withdrawn at any time before action has been had on it. (809) *2-55, Record, p. 2444.*

(*g*) ***Previous question, relative to.***

A motion to amend may not be withdrawn after the previous question is ordered. (932) *1-51, Journal, p. 550, Record, pp. 4026, 4061.*

A motion to amend having been made, and the previous question having been moved and seconded, the amendment may not be modified, corrected, or changed except by unanimous consent. (926) *1-28, Journal, p. 811, Globe, p. 530.*

During the consideration of a bill in the House as in Committee of the Whole, the previous question may be demanded while Members yet desire to offer amendments. (803, 804) *2-44, Record, p. 1321; 1-49, Journal, p. 1412, Record, p. 3893; 3-58, Record, p. 2499.*

When a vote taken under the operation of the previous question is reconsidered, the question stands divested of the previous question, and may be debated and amended. (991-994) *1-27, Journal, pp. 47, 61, 128, 129, Globe, p. 53; 1-33, Journal, p. 127; 3-34, Journal, p. 452, Globe, p. 729; 1-54, Record, p. 3752.*

The previous question being ordered on a motion to concur in a Senate amendment to a House bill, it is in order to commit the bill and amendment to a committee with instructions. (1005) *1-53, Journal, p. 162, Record, p. 3060.*

In order to prevent amendments the previous question is sometimes ordered on undebatable motions. *2-56, Record, p. 411.*

The motion to commit under section 1 of Rule XVII is not debatable, but is amendable unless the previous question is ordered on it. *2-56, Record, p. 2100.*

(*h*) ***Debate, relative to.***

A Member who yields the floor to another to offer an amendment loses the right to reoccupy it. (854) *1-26, Journal, p. 248, Globe, pp. 153, 154.*

AMENDMENT—Continued.

(*h*) ***Debate, relative to***—Continued.

A Member who has spoken once to the main question may speak again to an amendment. (862, 863) *Jefferson's Manual, Section XXXV, p. 186; 1-28, Journal, p. 532, Globe, p. 356.*

When a Member yields of his time but retains control of the floor, an amendment may not be offered in the yielded time without his consent. (855) *2-54, Record, p. 2208.*

(*i*) ***Relating to suspension of rules.***

During consideration of a motion to suspend the rules and pass a bill it is not in order to demand a separate vote on amendments pending with the bill. *2-56, Record, pp. 2589-2592.*

A bill offered for passage on a committee suspension day may carry with it only such amendments as are authorized by the committee. *2-56, Record, pp. 2598, 2599.*

(*j*) ***Points of order, in regard to.***

A point of order against a proposition must be made before an amendment is offered to it. (1664, 1665) *1-51, Record, p. 3892; 2-55, Record, p. 2247; 2-58, Record, pp. 3958, 3959, 4952.*

If a portion of a proposed amendment is out of order the whole of it is out of order. (1052) *1-47, Journal, p. 1704, Record, pp. 6373-6375; 3-55, Journal, p. 21, Record, p. 43; 2-58, Record, p. 2384.*

An amendment may not be offered to a paragraph in a bill until a point of order reserved against the paragraph has been disposed of. *2-58, Record, pp. 3994, 3995-4068.*

The Chair may rule an amendment out of order before the reading has been completed, if enough has been read to show that it is not in order. (1248) *2-55, Record, p. 2735.*

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed upon by the House and not by the Speaker. (1051) *1-47, Journal, p. 1285, Record, pp. 4121-4123.*

It is within the province of the House but not of the Speaker to reject an amendment proposed inconsistent with one already agreed to. (1046) *Jefferson's Manual, Section XXXV, pp. 186, 187.*

The rules having been suspended simply for the introduction of a matter, that matter may be amended. (1583) *1-26, Globe, p. 121.*

A proposition which is before the House, even though of such a nature as to have been ruled out on a point of order, had one been made, may be perfected by amendments. (1068-1070) *1-48, Record, p. 5146; 2-54, Record, p. 390; 2-55, Record, p. 2941.*

A paragraph in an appropriation bill changing existing law may be perfected only by germane amendments. *1-56, Record, pp. 4678-4690.*

AMENDMENT—Continued.

(*j*) ***Points of order, in regard to***—Continued.

A bill being before the House by unanimous consent, it is subject to any amendment which may be proposed under the rules. (1054) *1-45, Journal, p. 223, Record, pp. 458, 459.*

It is not in order to do indirectly through a motion to recommit with instructions what it would not be in order to do directly by way of amendment. (1024, 1029, 1031-1039) *1-48, Journal, p. 1247, Record, pp. 4256, 4257; 1-55 Record, p. 939; 2-55, Record, p. 811.*

(*k*) ***Special orders, relations to.***

Where a special order provides for the offering of certain specified amendments, none other is allowable, either as an independent amendment or as an amendment to one of the specified amendments. (1289, 1290) *1-53, Journal, pp. 18, 21, 22.*

Pending the engrossment of a general appropriation bill an amendment proposing legislation may be authorized by the adoption of a report from the Committee on Rules. *2-59, Record, pp. 3492-3494.*

The disposition of "pending amendments" when the hour arrives for a vote under the terms of a special order. (1284-1288) *1-52, Journal, p. 355, Record, p. 7100; 2-53, Journal, pp. 128, 441-445, Record, pp. 1792, 6732, 6736; 3-53, Journal, pp. 105-114, Record, p. 1921.*

(*l*) ***In Committee of the Whole—Priority of amendments.***

After general debate is closed by order of the House in Committee of the Whole, amendments are offered, debated, and amended under the five-minute rule, and an amendment once offered may be withdrawn only by unanimous consent. (913) *Rule XXIII, section 5.*

In Committee of the Whole amendments are not in order until general debate has been closed. *2-56, Record, p. 1197.*

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments; but this does not preclude further amendment. (914) *Rule XXIII, section 6.*

It has been held in order in the House to close debate on a section of a bill in Committee of the Whole, although only a portion of the section had been read for amendment. (919) *2-48, Record, pp. 1604-1612.*

In Committee of the Whole, under the five-minute rule, the right to explain or oppose an amendment has precedence over a motion to amend it. *1-59, Record, pp. 4500-4504.*

In considering a bill for amendment under the five-minute rule, it is in order to return to a paragraph already passed only by unanimous consent. *2-58, Record, p. 4072.*

AMENDMENT—Continued.

(*l*) ***In Committee of the Whole—Priority of amendments***—Continued.

In consideration, under the five-minute rule, a paragraph is not passed until the next one is read, although the Committee of the Whole may in the meantime have risen. *1-59, Record, pp. 6519-6520.*

An amendment to insert in a bill a new section having been presented and debated before an opportunity was given to amend fully the section last read, the Chairman held that it was in order to recur to the latter section. *3-55, Record, p. 719.*

During consideration of a bill by sections for amendments, the Chair may direct a return to a section, where, by error, no action was had on a pending amendment. *1-57, Record, p. 6767.*

Before general debate is closed in Committee of the Whole it is not in order to move that the committee rise and report the bill if any Member demands the right to amend. (729) *3-46, Record, pp. 1434, 1435.*

Before the reading of a bill for amendments has been concluded in Committee of the Whole it is not in order to move that the committee rise and report the bill favorably. (730) *2-55, Record, p. 2737.*

A bill may not be laid aside with a favorable recommendation in Committee of the Whole until the reading for amendments is completed. *3-55, Record, p. 867.*

In Committee of the Whole motions to amend have precedence of the motion to rise and report. *2-56, Record, pp. 1200-1202; 1-57, Record, pp. 6777, 6778; 2-58, Record, p. 2440.*

In Committee of the Whole the simple motion that the committee rise has precedence of the motion to amend. *1-57, Record, p. 6426.*

The motion in Committee of the Whole that a bill be laid aside with a favorable recommendation is not amendable; but may be displaced by a preferential motion. *1-59, Record, p. 5748.*

The closing of debate on the last section of a bill considered under the five-minute rule does not preclude debate on a substitute for the whole text of the bill. *1-57, Record, p. 6777.*

During consideration of a bill by paragraphs in Committee of the Whole a substitute was offered before all the paragraphs had been read, and as no further amendments had been or were now proposed to the text of the bill, and as the substitute had been debated, it was held to be in order to vote on the substitute. (1105) *2-49, Record, p. 1059.*

By offering a pro forma amendment in Committee of the Whole a member does not lose the right to insist on his pending point of order. *2-57, Record, pp. 381-383.*

AMENDMENT—Continued.

(*c*) ***Power of Speaker and Members over.***

It is not for the Chair to pass upon the consistency of a proposed amendment with a proposition already agreed to. *2-56, Record, pp. 2098, 2099; 1-57, Record, pp. 2590, 3634; 2-58, Record p. 2447.*

Because the terms of a proposed amendment may conflict with a proposition already agreed to, does not constitute a reason for the Chair to rule it out. *2-56, Record, pp. 319, 320.*

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed, does not constitute a reason why the Speaker should rule it out. *1-57, Record, pp. 2189-2190.*

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. *1-57, Record, pp. 5643, 5644.*

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed upon by the House and not by the Chair. *1-59, Record, pp. 5631, 5635, 5664.*

A proposed amendment may not be accepted by the Member in charge of the pending measure, but can be agreed to only by the House. *1-57, Record, p. 1145; 3-58, Record, pp. 659, 660.*

The question on agreeing to committee amendments is put by the Chair without motion from the floor. *1-59, Record, p. 7445.*

(*d*) ***In relation to bills and resolutions.***

Changes of reference of public bills are made without amendment. (447) *Rule XXII, section 3.*

A bill may not be amended on its first reading. (1046) *Jefferson's Manual, Section XXIV, p. 164.*

A Senate bill may not be amended in the House after it has passed to the third reading. *2-58, Record, p. 1470.*

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According to the later practice, a bill recalled from the President may not be amended by the two Houses. *1-57, Record, pp. 2845, 2876, 2926, 3754, 4141.*

Blanks left in a bill by one House may be filled by amendments made by the other. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

The amendment of the numbering of the sections of a bill is done by the Clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190; 1-57, Record, p. 6777.*

AMENDMENT—Continued.

(*d*) ***In relation to bills and resolutions***—Continued.

Committees may not interline or blot bills, but must set down the amendment separately. (601) *Jefferson's Manual, Section XXVI, p. 141.*

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly, through a motion to recommit with instructions. (457, 1032, 1075, 1080) *1-49, Journal, pp. 702, 703; Record, pp. 1619, 1620; 2-32, Journal, p. 414; 1-54, Record, p. 4096.*

It is not in order, by way of amendment, either directly or indirectly, to convert a public into a private bill. (1033, 1034) *1-48, Journal, p. 761; 2-53, Journal, pp. 350, 351, Record, p. 4011.*

An amendment providing for the enactment of a general provision of law is not germane to a bill for the relief of a private individual. (1074, 1430). *1-31, Journal, p. 784, Globe, p. 714; 1-52, Journal, pp. 311-312, Record, p. 6474.*

A motion to recommit a bill with instructions to bring the same subject-matter back in the form of a joint resolution is in order. (1012) *1-49, Journal, pp. 378, 379, Record, pp. 694, 695.*

The text of a bill containing nonprivileged matter, privilege may not be created by a committee amendment in the nature of a substitute, not containing the nonprivileged matter. *3-58, Record, pp. 2422, 2423.*

It was decided, by reason of conditions arising from former Rule No. 114, that a resolution of the House could not be amended so as to convert it into a joint resolution. (456) *1-32, Journal, p. 679, Globe, p. 1275.*

Amendments to the title of a bill or resolution are not in order until after its passage, and are voted on without debate. (1043) *Rule XIX.*

An amendment to the title of a bill is not in order on the day succeeding its passage, before the reading of the Journal. (1055) *2-53, Journal, p. 132, Record, pp. 1806, 1807.*

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. *1-59, Record, pp. 7102-7105.*

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. *1-59, Record, p. 2693.*

(*e*) ***Striking out and inserting.***

The motion to strike out and insert is not divisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert. (1044) *Rule XVI, section 7.*

AMENDMENT—Continued.

(*e*) ***Striking out and inserting***—Continued.

When it is proposed to amend by inserting or adding, the matter is divisible if it contain more than one substantive proposition. *1-57, Record, pp. 2902, 4629, 4634.*

The parliamentary law relating to the motions to strike out and insert. (1047) *Jefferson's Manual, Section XXXV, pp. 187, 188.*

A paragraph should be perfected by its friends before the question is put on striking it out. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

While amendments are pending to the section a motion to strike it out may not be offered. *1-59, Record, p. 7783.*

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. *3-58, Record, p. 662.*

It is in order to perfect words proposed to be stricken out by striking out a portion of them. *2-58, Record, p. 5206.*

Motions to amend a paragraph take precedence of motions to strike it out or agree to it, although either of the latter motions may be made first. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

Certain words having been inserted in a paragraph, it is in order to move to strike out a portion of the paragraph which includes those words, providing the proposition involved be new; and in place of the portion stricken out in this way new matter may be inserted. (1047) *Jefferson's Manual, Section XXXV, p. 189.*

Words embodying a distinct substantive proposition being agreed to as an amendment, it is not in order to amend by striking out a part of those words with other words. *1-59, Record, pp. 1150, 1151.*

It is in order to move to recommit with instructions to strike out one of several propositions that have been inserted by an amendment agreed to by the House. (1041) *3-53, Journal, p. 156-158, Record, p. 2729.*

It is not in order to recommit a bill with instructions to report as an amendment matter which has just been stricken out by a vote of the House. (1035) *1-49, Journal, p. 2363, Record, p. 7613.*

When it is proposed to amend by inserting a paragraph, it should be perfected before the question is put on inserting, as afterwards it may not be amended. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

Words once inserted may not be changed or stricken out, but words relating to the same subject may be added to another portion of the paragraph. (1048) *1-19, Journal, p. 794, Debates, p. 1261.*

AMENDMENT—Continued.

(*e*) ***Striking out and inserting***—Continued.

An amendment in the form of a new and separate paragraph may be offered to any part of the bill to which it is germane. *1-57, Record, pp. 2598, 2599.*

It is in order by a motion to insert, to effect a transfer of paragraphs from the latter to the first portion of a bill. *2-58, Record, pp. 3524, 3527; 3-58, Record, pp. 1734, 1735.*

A motion to strike out and insert certain words being defeated does not preclude a motion to strike out and insert certain other words or prevent the simple motion to strike out. (1047) *Jefferson's Manual, Section XXXV, p. 188.*

A motion to strike out and insert certain words being decided affirmatively thereby precludes another motion to strike out the words inserted and insert others. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. *2-58, Record, p. 2693.*

It is not in order to amend an amendment that has been agreed to; but the amendment with other words of the original paragraph may be stricken out in order to insert a new text of a different meaning. *1-57, Record, pp. 1614, 1616.*

While a large part of a proposed amendment may be identical with some provisions of the bill already stricken out, yet if as a whole it contains matter substantially different from that already voted on it is not necessarily out of order. (1053) *2-48, Journal, p. 191, Record, pp. 534, 553.*

A bill being under consideration by paragraphs a motion to strike out was held to apply only to the paragraphs under consideration. *1-56, Record, p. 5981.*

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute. *1-57, Record, p. 6114.*

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. *1-57, Record, p. 5833.*

When it is proposed to strike out certain words in a paragraph it is not in order to amend by adding to them other words of the paragraph. *1-57, Record, p. 3636.*

The motion to strike out the enacting clause has precedence of the motion to amend. (938) *Rule XXIII, section 7.*

AMENDMENT—Continued.

(*p*) ***Amendments must be germane***—Continued.

A bill being considered under exceptional circumstances, an amendment germane to the bill, but not strictly germane to the section, was admitted. *1-59, Record, pp. 9152-9166.*

An amendment germane to a bill as a whole, but hardly germane to any one section, may be offered at an appropriate place, with notice of motion to strike out following sections which it would supersede. *2-56, Record, pp. 1532, 1533.*

It is not in order to move to recommit a bill with instructions to the committee to report an amendment which is not germane. (1023-1031) *1-48, Journal, pp. 703, 1247, Record, pp. 4256, 4257; 2-35, Journal, p. 389, Globe, pp. 1007, 1009; 2-53, Journal, pp. 446, 453, Record, pp. 6739, 6908; 2-51, Journal, p. 165, Record, p. 1638; 1-55, Record, pp. 939, 1187; 2-55, Record, p. 811; 3-58, Record, p. 3775.*

A privileged proposition may not be amended by adding thereto matter not privileged or germane to the original question. (1079) *2-48, Journal, p. 546, Record, p. 1637; 2-58, Journal, p. 418, Record, pp. 3146-3149.*

It is not in order to amend a pending privileged proposition by adding instructions to a committee on a matter not privileged and not germane to the original proposition. (1078) *1-48, Journal, p. 389.*

An amendment must be germane to the Senate amendment to which it is offered, it not being sufficient that it should be germane to the general provisions of the bill. (1335-1337) *1-48, Journal, p. 1653; 2-50, Journal, p. 667, Record, p. 2454; 2-48, Record, pp. 2421, 2422.*

A paragraph which changes existing law being allowed by general consent to remain, it may be perfected by any germane amendment. (Chair overruled.) *1-57, Record, pp. 5643, 5648; 2-58, Record, pp. 2278, 2279, 2388, 2389, 3591, 3593, 3594, 4059, 4060; 3-58, Record, pp. 1733, 2943, 2945; 1-59, Record, pp. 6519, 6520, 6987; 2-59, Record, pp. 3063-3066.* But this does not permit an amendment which adds additional legislation. *2-58, Record, pp. 3958-3961.*

A paragraph in an appropriation bill changing existing law may be perfected by a germane amendment which also changes existing law. *1-57, Record, pp. 1468, 1473.*

(*q*) ***Illustrations of germane amendments.***

To a bill relating to Federal elections and functions of the Federal courts therein, an amendment establishing a system of jury commissioners in such courts was held to be germane. (1057) *1-51, Journal, p. 807, Record, pp. 6926, 6927.*

To a bill referring generally to the affairs of a gas company, an amendment introducing the subject of the price of gas was held to be germane. *2-56, Record, p. 1262.*

AMENDMENT—Continued.

(*q*) ***Illustrations of germane amendments***—Continued.

To a bill relating to the control of certain public places in Washington, an amendment providing for the removal of the fence around the Botanic Garden was held to be germane. (1060) *2-55, Record, p. 5120.*

To a bill providing generally for the improvement of rivers and harbors, an amendment providing for an additional harbor was held to be germane. *3-55, Record, p. 1364.*

To a bill providing for the reorganization of the Army, a new section prescribing a system of competition in marksmanship among the soldiers was held to be germane as an amendment. *3-55, Record, p. 1324.*

To a resolution expressing hope that the outrages on Christians in Turkey might be stopped, and promising support to the President in efforts to obtain redress for wrongs done American citizens, an amendment providing for the termination of diplomatic relations with Turkey was admitted as germane. (1058) *1-54, Record, pp. 1000, 1008, 1009.*

To a bill providing for an interoceanic canal, specifying a certain route, an amendment providing for another route was held to be germane. *1-57, Record, pp. 553, 554.*

To a bill amending a general law in several particulars, an amendment providing for the repeal of the whole law was held to be germane. *1-57, Record, pp. 6948, 6952; Journal, pp. 818, 819.*

To a proposition to recoin full legal tender silver dollars into subsidiary coin, an amendment making the latter full legal tender was held to be germane. *1-57, Record, pp. 6070, 6071.*

To a bill admitting several Territories into the Union, an amendment adding another Territory is germane. *1-57, Record, pp. 5187, 5189.*

An amendment providing for an educational test for immigrants was held to be germane to a bill to regulate the immigration of aliens into the United States. *1-57, Record, p. 5822.*

To a bill relating to the salaries of the Federal judges and those of the District of Columbia, an amendment relating to the salaries of the Porto Rican judges was held to be germane. *2-57, Record, p. 1341.*

To a bill relating to the salaries and expenses of judges, an amendment forbidding them to receive passes, franks, etc., was held to be germane. *2-57, Record, p. 1343.*

A bill to establish a Department of Commerce and Labor may be recommitted with instructions to report instead two bills establishing separate departments of commerce and labor. *2-57, Journal, p. 134; Record, p. 928.*

To a bill establishing a new department, creating offices and fixing salaries, an amendment for changing the salary of an officer of the department was held to be germane. *2-57, Record, pp. 914-915.*

AMENDMENT—Continued.

(*q*) ***Illustrations of germane amendments***—Continued.

To a bill providing generally for a union station in the District of Columbia, an amendment levying a special tax in the District to defray the cost of the station was held to be germane. *2-57, Record, pp. 332-333.*

To a bill relating to the operation of a street railway, in several particulars an amendment fixing the rate of fares was held to be germane. *2-59, Record, pp. 2723-2724.*

To a proposition to create a board of inquiry, an amendment specifying when the board should report, was held to be germane. *3-58, Record, p. 3879.*

An amendment on the subject of renovated butter was held to be germane to a bill relating to "oleomargarine and other dairy products." *1-57, Record, pp. 1622-1624.*

(*r*) ***Amendments not germane.***

To a bill amending a general law on a specific point, an amendment relating to the terms of the law rather than to those of the bill was offered and ruled not to be germane. (1091) *2-51, Journal, p. 219, Record, pp. 2254, 2255; 1-56, Record, p. 4615, Journal, pp. 500, 501; 1-57, Record, pp. 4597, 5938, 5939.*

An amendment granting a pension to an officer is not germane to a bill to place the same officer on the retired list of the Army. (1023) *1-48, Journal, p. 703.*

To a proposition to exclude a Member-elect from the House, a proposition to expel was offered as an amendment and held not to be germane. *1-56, Record, pp. 1215, 1216, Journal, p. 196.*

To a provision for additional judges in one Territory, an amendment providing for an additional judge in another Territory was held not to be germane. (1085) *1-55, Record, p. 814.*

To a paragraph appropriating for a clerk to one committee, an amendment providing for a clerk to another committee was held not to be germane. *2-58, Record, p. 4951.*

To a bill changing the boundaries and modifying the system of holding courts in a certain judicial district, an amendment creating a new judicial district was held not to be germane. (1024) *1-48, Journal, p. 1247, Record, pp. 4256, 4257.*

To a matter relating to the salaries of United States district judges, an amendment relating to the salaries of United States marshals and attorneys was held not to be germane. (1655) *2-30, Journal, p. 382.*

To a bill providing for extermination of cotton boll weevil, an amendment including the gypsy moth was held not to be germane. *2-58, Record, p. 575, Journal, p. 118.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

To a bill relating to the resignation and salary of a district judge, an amendment providing for the division of that judge's district into two districts was held not to be germane. *3-55, Record, p. 412.*

To a provision relating to transfers of clerks from one Department to another, an amendment classifying the work of the clerks was held not to be germane. *1-59, Record, pp. 4506, 4508, 4509.*

To a resolution for printing a document relating to the colonial systems of the world, an amendment providing for the printing of maps of Cuba was offered and held not to be germane. *3-55, Record, p. 2395.*

To a provision extending the customs and internal-revenue laws of the United States over the Hawaiian Islands, an amendment for effecting the extension of all the laws of the United States over those islands was offered and held not to be germane. *3-55, Record, p. 267.*

To a bill relating to the tariff between the United States and the Philippine Islands, an amendment relating to the tariff between the United States and all other countries was held not to be germane. *1-59, Record, pp. 1156-1161.*

To a bill relating to the tariff between the United States and the Philippine Islands, an amendment declaratory as to the future sovereignty over those islands, was held not to be germane. *1-59, Record, pp. 1144-1146, 1150.*

To a proposition relating to the sale of internal-revenue stamps in Porto Rico, a proposition relating to posting lists of persons paying special taxes in the United States was held not germane. *1-59, Record, pp. 5743-5744.*

To a bill to enlarge the size of homesteads in a certain State, an amendment changing the commutation as to homesteads generally, was offered and held not to be germane. *3-58, Record, pp. 3683, 3684.*

To a bill providing for the admission of one Territory, an amendment providing also for the admission of several other Territories was offered and held not to be in order. (1083) *2-50, Journal, pp. 270, 293, Record, pp. 905, 907.*

To a bill admitting one Territory into the Union, an amendment relating to the statehood of another Territory is not germane. (1025, 1026) *2-35, Journal, p. 389, Globe, pp. 1007, 1009; 2-53, Journal, p. 4-53, Record, p. 6908.*

It is not in order to engraft upon a bill for the relief of one State a provision for the relief of another. (1084) *2-53, Journal, pp. 514, 515, Record, pp. 7940, 7941.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

To a bill requiring the street railroad companies of the District of Columbia to make annual reports, amendments relating to transfers at junction points and to accommodations for passengers within the cars were held not to be germane. (1090) *1-51, Journal, p. 667, Record, pp. 5316, 5317.*

To a bill relating to corporations carrying passengers for hire over the streets of Washington, an amendment regulating the size of tires of all vehicles passing over the streets was held not to be germane. *2-59, Record, p. 4509.*

To a proposition to investigate the cost of armor plate, an amendment fixing the terms of purchase thereof, was held not to be germane. *3-58, Record, pp. 3877-3879.*

To a provision requiring two railroad companies in the District of Columbia to issue free transfers over the lines of one another, an amendment requiring the two companies to issue universal transfers with all other intersecting lines in the District was offered and held not to be germane. (1101) *2-55, Record, p. 5124.*

To a bill relating to corporations engaged in interstate commerce, an amendment relating to all corporations was held not to be germane. *2-57, Record, p. 1913.*

An amendment relating to the government tax on liquors sold in prohibition communities was held not germane to a proposition to prohibit the sale of liquor in the Capitol. *1-57, Record, pp. 6011-6013.*

To a resolution requesting information as to the amount of money in the Treasury of the United States, an amendment calling for information as to the number of distilleries in the United States was offered and held not to be germane. (1086) *1-48, Journal, p. 683.*

To a proposition to make an appropriation for paying indebtedness and premiums of an exposition, an amendment to appoint a committee to investigate the affairs of the exposition was offered and held not to be in order. (1087) *2-48, Journal, p. 694, Record, p. 2249.*

To a bill relating to the sale of lands owned by the Government of the United States, an amendment limiting alien ownership of any land within the jurisdiction of the United States was offered and held not to be germane. (1088) *1-50, Journal, p. 2222, Record, pp. 5600, 5604.*

To a bill to protect trade and commerce against trusts, an amendment authorizing the suspension of duties on articles handled by trusts was offered and ruled not to be germane. (1089) *1-51, Journal, p. 556, Record, p. 4098.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

An amendment to repeal the duty on coal was held not to be germane to a proposition to pay for the investigation of a strike among coal miners. *2–57, Record, pp. 32–41.*

To a bill for the regulation of corporations engaged in interstate commerce, an amendment relating to tariff duties was held not to be germane. *2–57, Record, pp. 1905–1910.*

To a bill allowing a railroad a right of way, an amendment providing for purchase of the railroad by the Government after a certain time was offered and held not to be germane. (1100) *2–55, Record, pp. 2301, 2302.*

To a revenue bill with incidental purposes to prevent adulteration of a certain food product, an amendment relating to interstate commerce in adulterated food products and drugs was decided not to be germane. (1071) *1–51, Journal, pp. 980, 981, Record, pp. 9097–9101.*

To a bill providing for certain deficiencies in the appropriation for the Government Printing Office, among which was one affecting the salary of the Public Printer, an amendment repealing the law providing for the appointment of the Public Printer by the President and making him an elective officer of the House was offered and held not to be germane. (1072) *2–46, Record, p. 1651.*

To a bill providing for sending a claim to the Court of Claims, an amendment providing for paying the claim outright was offered and held to be not germane. (1073) *2–55, Record, pp. 627, 638, 842.* Also a similar ruling on the reverse of this proposition. *2–58, Record, p. 3007.*

To a proposition to discharge a Member of the House from the custody of the Sergeant-at-Arms, an amendment providing for the discharge of several Members was offered and held not to be in order. (1094) *2–53, Journal, p. 194, Record, p. 2377.*

To a proposed special order providing a time for the consideration of one bill, an amendment providing for the consideration also of another bill was offered and held not to be germane. (1092) *2–51, Journal, p. 295, Record, p. 3215.*

To a resolution providing in general terms for the employment of additional employees in the service of the House, an amendment providing for the employment of a particular individual was offered and held not to be in order. (1076, 1077) *1–51, Journal, p. 293; 1–54, Record, p. 513.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

To a paragraph providing for annual clerks to Senators, an amendment providing for annual clerks to Members was offered and held not in order. (1081) *1-54, Record, p. 3963.* But earlier, to a provision providing clerks to Senators an amendment providing them also for Members of the House was held to be germane. (1056) *2-48, Record, pp. 2420, 2423.*

To a proposition to give an extra month's pay to the officers and employees of the House, an amendment to include clerks of Members was held not to be germane. *3-58, Record, pp. 3807-3809.*

To a resolution assigning clerks to committees, an amendment assigning a clerk to each member of the House was offered and ruled out of order. (1082) *1-50, Journal, p. 306; Record, p. 305.*

To a resolution relating to the meetings of the House, an amendment providing a time for considering a particular bill is not germane. (1029) *1-55, Record, p. 939.*

To a resolution providing for the consideration of a general appropriation bill, an amendment providing for the consideration of a bill relating to the coinage of gold and silver was held not to be germane. (1028) *2-51, Journal; p. 165, Record, p. 1638.*

To a proposition for the coinage of the silver bullion in the Treasury, an amendment providing for the issue of bonds and an amendment providing among other things for the deposit of silver bullion in the Treasury in exchange for certificates were offered and held severally not to be germane. (1098) *2-53, Journal, pp. 216, 217; Record, pp. 2511-2514.*

To a provision for an addition to a mint, an amendment providing for the coinage of silver bullion and the disposal of the seigniorage was offered and held not to be germane. (1096) *1-52, Record, pp. 4174, 4181.*

To a provision admitting free of duty certain articles used in the cotton industry, an amendment providing for the free coinage of silver was offered and held not to be germane. (1095) *1-52, Record, p. 3116.*

An amendment providing for the free coinage of gold and silver was held not germane to a bill regulating the sale of certain agricultural products, defining options, etc. (1027) *2-53, Journal, p. 446, Record, p. 6739.*

To a bill relating to laying of conduits for telephone wire, amendments relating to the prices to be charged for services were held not to be germane. *1-57, Record, pp. 5935-5936.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

To the paragraph in the agricultural appropriation bill providing for the distribution of seeds through Members of Congress, an amendment providing for a distribution of seed grain to a class of destitute farmers in a certain region was offered and held not to be in order. (1093) *2-51, Record, p. 3268.*

To a proposition to investigate the conduct of Members in relation to a Department of the Government, an amendment proposing an investigation of the Department itself was held not to be germane. *2-58, Journal, p. 418, Record, pp. 3146-3149.*

An amendment recognizing the belligerency of a foreign people was held not to be germane to a bill appropriating for the consular and diplomatic service. (1031) *2-55, Record, p. 811.*

A proposition for the annexation of Cuba was held not to be germane to a bill providing for reciprocal trade relations with that country. *1-57, Record, p. 4417.*

To a bill transferring the care of forest reserves to the Department of Agriculture, an amendment modifying the civil-service rules as to officials in those reserves was held not germane. *3-58, Record, p. 167.*

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. *1-57, Record, p. 3093.*

An amendment recognizing the belligerency of a foreign people was held not germane to a resolution providing for sending relief to that people. (1030) *1-55, Record, p. 1187.*

To a paragraph prohibiting the sale of firearms or intoxicating liquors to natives of Alaska, an amendment providing for a system of licensing the sale of liquor in that Territory was held not to be germane. *3-55, Journal, pp. 67, 68, Record, pp. 580-584.*

To a provision excluding all immigrants who can not read and write, and requiring a consular certificate with each immigrant, an amendment providing that no foreign-born laborers should enter the United States was offered and held not to be germane. (1099) *1-54, Record, pp. 5417, 5421.*

An amendment prohibiting aliens from coming temporarily into the United States to work was held not to be germane to a bill to regulate the immigration of aliens. (529) *1-57, Record, pp. 5834, 5835, 6005.*

A proposition to prohibit the employment of Chinese on American vessels was held not to be germane to a bill to prevent their coming into the United States. *1-57, Record, pp. 3801-3803.*

AMENDMENT—Continued.

(*r*) ***Amendments not germane***—Continued.

An amendment limiting immigration generally was held not to be germane to a proposition to prevent the immigration of Chinese. *2-58, Record, p. 5037.*

An amendment prohibiting the sale of intoxicating liquors in all Government buildings accessible to aliens was held not germane to a proposition to prohibit such sale in immigrant stations. *1-57, Record, pp. 6005, 6006.*

To a resolution proposing changes in the times of commencement and termination of the terms of Members and Senators, an amendment providing for the election of Senators by the people was offered and held not to be germane. (1097) *2-52, Journal, p. 39, Record, pp. 483, 497, 498.*

An amendment providing for the construction of the Nicaragua Canal was held not to be germane to the sundry civil appropriation bill. *3-55, Record, pp. 1872, 1908, 1909.*

An amendment prohibiting the employment of nonresident foreigners on certain river and harbor works was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1095, 1096.*

An amendment providing for a system of irrigating arid lands was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1057, 1058.*

A clause in the river and harbor bill providing for the construction of the Hennepin Canal was ruled out of order. (1645) *2-48, Record, pp. 1677, 1927, 2097.*

AMENDMENTS BETWEEN THE HOUSES.

(*a*) *Limitations of.*
(*b*) *Precedence and effect of motions.*
(*c*) *In Committee of the Whole.*
(*d*) *General practice.*
(*e*) *Agreeing with amendment.*
(*f*) *Insisting and receding.*
(*g*) *Adherence.*
(*h*) *Committee of conference.* See "Conference."

(*a*) ***Limitations of.***

The parliamentary law governing amendments between the Houses. (1321, 1322) *Jefferson's Manual, Sections XXXVIII, XLV, pp. 194, 206.*

One House may not send to the other an amendment of its own bill after it is passed. *Jefferson's Manual, Section XLV, p. 206.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*a*) ***Limitations of***—Continued.

An illustration of amendments between the Houses, disagreement, and final settlement by conference. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

Illustration of disposition of amendments between the Houses without intervention of a committee of conference. *2-57, Journal, p. 281, Record, pp. 2580, 2605, 2607.*

An amendment of one House being amended by the other, the first House may amend the last amendment, but further amendment is not permissible. *1-57, Record, p. 4749.*

Anything in a bill agreed to by both Houses may not be stricken out at a conference. (1321) *Jefferson's Manual, Section XLV, p. 206; 2-48, Journal, p. 719, Record, p. 2304.*

In considering a bill which has been amended by the other House, it is not in order to change the text to which both Houses have agreed. (1342) *2-48, Journal, p. 719, Record, p. 2304, 1-57, Record, pp. 4593, 4595-4597, 4956.*

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. *1-57, Record, p. 4642.*

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. *1-57, Record, pp. 2189, 2190.*

In amending a Senate amendment the House is not confined within the limits of amount set by the original bill and the Senate amendment. *1-57, Record, p. 2188.*

(*b*) ***Precedence and effect of motions.***

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 164.*

The negative of the motion to agree, or concur, is equivalent to disagreement, or nonconcurrence. *Jefferson's Manual, Section XXXVIII, p. 194.*

The regular progression for disagreeing, insisting, and adhering in amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, p. 205.*

The motion to insist has precedence of the motion to adhere. (1365) *1-34, Journal, pp. 1516-1518.*

Before the stage of disagreement has been reached, the motion to refer Senate amendments has precedence of the motion to concur. (1343-1345) *1-48, Record, p. 3942; 2-52, Journal, p. 101, Record, p. 1954; 2-54, Record, p. 372.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*b*) ***Precedence and effect of motions***—Continued.

The stage of disagreement not having been reached, the motion to concur with an amendment has precedence of the simple motion to concur. 1346 *2–55, Record, pp. 839, 840.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. (1321) *Jefferson's Manual, Section XLV, p. 206; 1–57, Record, pp. 4531, 4541, 4542, 4593, 4601, 4629, 4642.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1–55, Record, pp. 2641, 2642.*

The motion to recede has preference, although the previous question has been demanded. (74) *2–59, Record, p. 2454.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2–55, Record, p. 4056; 3–58, Record, pp. 3883, 3884.*

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. (1349–1353) *2–53, Journal, p. 557, Record, p. 8389; 3–53, Journal, p. 185, Record, p. 3178; 1–54, Record, p. 6068; 2–55, Record, p. 6731.*

Pending a demand for the previous question on the motion to adhere, a motion to recede was not entertained. (1362) *1–35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

The question on the adoption of a conference report has precedence of a motion to recede and concur in amendments of the other House. *3–55, Record, p. 2927.*

A bill with Senate amendments having reached the stage of disagreement is privileged. *1–57, Record, p. 7113.*

(*c*) ***In Committee of the Whole.***

Senate amendments to House bills must be considered in Committee of the Whole if they are such as, originating in the House, would be subject to that point. (765) *Rule XX.*

A House bill with Senate amendment requiring consideration in Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rules. (352–354) *1–51, Journal, pp. 758, 767, 770–772, Record, pp. 6281, 6314, 6353, 6354–6364; 3–58, Record, p. 2206.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(c) ***In Committee of the Whole***—Continued.

A Senate amendment requiring consideration in Committee of the Whole is referred from the Speaker's table to a standing committee, and the request for a conference gives no privilege. (351) *2-50, Journal, p. 348, Record, pp. 1216-1220.*

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. (355, 356) *1-51, Journal, p. 1018, Record, p. 9827; 2-51, Journal, p. 340, Record, p. 3689.*

In Committee of the Whole a Senate amendment, even though it be very long, is considered as an entirety and not by paragraphs or sections. *1-57, Record, p. 4530.*

Senate amendments referred to the Committee of the Whole must be considered, although they may not be within the rule requiring such consideration. *1-57, Record, p. 4585.*

When a House bill with Senate amendments is committed to the Committee of the Whole, that committee considers only the amendments. *1-57, Record, pp. 4585, 4586.*

Senate amendments considered in Committee of the Whole are each subject to general debate and amendment under the five-minute rule. *2-58, Record, p. 1732.*

A House bill with Senate amendment having been properly referred from the Speaker's table, it was decided nevertheless to be in order for the House to consider an amendment to the Journal, striking out the record of such reference. (352-354) *1-51, Journal, pp. 758, 767, 770-772, Record, pp. 6281, 6314, 6353, 6354-6364.*

A Senate amendment which is a modification merely of a House proposition, like the increase or decrease of the amount, etc., and does not involve new and distinct expenditures, is not required to be considered in Committee of the Whole. (1323-1332) *3-46, Journal, p. 558, Record, pp. 2299-2301; 2-54, Record, p. 1253; 1-51, Journal, pp. 1046, 1087, Record, pp. 10111, 10490; 2-51, Journal, pp. 234, 333, Record, pp. 2506, 3606-3608; 2-52, Journal, pp. 68, 79, Record, pp. 1150-1153, 1292, 1293; 1-53, Journal, p. 172; 1-54, Record, pp. 5564, 5565; 1-57, Record, p. 2186; 3-58, Record, p. 725.*

An amendment to a Senate amendment, providing an appropriation for another purpose than that of the Senate amendment, requires to be considered in Committee of the Whole, and the House may at once go into committee for that purpose. (769) *2-48, Record, pp. 2421-2423.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*c*) ***In Committee of the Whole***—Continued.

A bill and amendment having once been sent to conference do not, upon the rejection of the conference report, return to their former state so that the amendments may be sent to the Committee of the Whole. (1389) *1-54, Record, pp. 5532, 5533.*

(*d*) ***General practice.***

A House bill relating to revenue, being returned from the Senate amended by a substitute relating to coinage, was in the House referred to the committee originally reporting it instead of to the committee having jurisdiction of the subject of the substitute. (671) *1-54, Record, pp. 343, 484, 1216, 1260.*

It is in order to lay upon the table Senate amendments to a House bill, and the bill in such case goes to the table with the amendments. (953) *1-33, Journal, p. 1250, Globe, p. 2071.*

It is a practice quite common for one House to pass a bill of the other with amendments and ask a conference at once without waiting for disagreement. (1371) *2-51, Journal, p. 321, Record, p. 3512.*

It is not always the practice of the House disagreeing to amendment of the other House to ask a conference. *1-56, Record, pp. 6475, 6495, Journal, pp. 658, 663.*

The fact that one of several Senate amendments must be considered in Committee of the Whole does not prevent the House from proceeding with the disposition of those not subject to the point of order. (1333) *1-48, Record, pp. 5981, 5985.*

When the House disagrees to a Senate amendment after amending it, the adopted amendment is of no effect. *1-57, Record, pp. 4531, 4541, 4542.*

A conference may be had on only a portion of the amendments in disagreement, leaving the differences as to the remainder to be settled by the action of the two Houses themselves. *1-57, Record, pp. 7113, 7195, 7197, Journal, p. 833.*

The House may disagree to certain Senate amendments to a bill, agree to others with amendments, and ask a conference only on the disagreement, leaving to the Senate to agree or disagree to the amendments to Senate amendments. *2-59, Record, pp. 1305, 1541, 1552.*

Senate amendments to a House bill are considered in their order. (1334) *1-52, Journal, p. 336, Record, pp. 6824, 6864; 2-56, Record, p. 3572.*

Blanks left in a bill by one House may be filled by amendments made by the other. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

A conference report being disagreed to, the amendments of the other House then come up for action. *3-58, Record, pp. 1597, 1598.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*d*) ***General practice***—Continued.

In the consideration of amendments on a bill pending between the two Houses it is not necessary to read the entire bill when the amendments come up for action. (469) *2-54, Record, p. 2653.*

The previous question being ordered on a motion to concur in a Senate amendment to a House bill, it is in order to commit the bill and amendment to a committee with instructions. (1005) *1-53, Journal, p. 162, Record, p. 3060.*

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. *2-56, Record, pp. 2257, 2258.*

The conference on a disagreement as to Senate amendments to a House bill having failed, the Senate reconsidered its action in amending and passing the bill, passed the bill with a new amendment, and asked a new conference. *3-55, Journal of House, pp. 42, 72, 200, 205, 251, Record, pp. 317, 439, 628, 631, 2303, 2360, 2362, 2770.*

Forms of special orders providing for nonconcurring in Senate amendments. (1319, 1320) *1-55, Record, p. 2478; 2-55, Record, p. 5566.*

Form of special order for amending a Senate bill and asking a conference with the Senate thereon. *2-59, Record, pp. 3755.*

The previous question may not be applied both to the question of agreeing to a conference report and to the question of asking a further conference on amendments yet in disagreement. (963) *2-51, Journal, p. 346, Record, p. 3711.*

The Constitution provides that the Senate may propose or concur with amendments in bills raising revenue. (452) *Article I, section 7, p. 7.*

(*e*) ***Agreeing with amendment.***

The rule determining the degree of an amendment in cases of amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, pp. 206, 207.*

An amendment of the other House may be agreed to with an amendment, and in turn the latter amendment may be agreed to with an amendment. *1-56, Record, pp. 6840, 6841.*

A motion being made to concur with an amendment, it is in order to propose to that amendment an amendment and a substitute. (1347) *1-55, Record, pp. 810-812.*

On the motion to concur in a Senate amendment with an amendment, the amendment must be germane. (1085) *1-55, Record, p. 814.*

An amendment must be germane to the Senate amendment to which it is offered, it not being sufficient that it should be germane to the general provisions of the bill. (1335-1341) *1-48, Journal, p. 1653; 2-50, Journal, p. 667, Record, p. 2454; 2-48, Record, pp. 2421, 2422.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*e*) ***Agreeing with amendment***—Continued.

The Senate having amended by striking out, the House may concur with an amendment inserting. (1365) *1–34, Journal, pp. 1427, 1484, 1516, 1518, Globe, p. 2037.*

The question as to whether or not an amendment to a Senate amendment, being germane, may involve a change of law and therefore be such as would not have been in order if offered originally in the House. (1336–1338) *2–50, Journal, p. 667, Record, p. 2454; 2–48, Record, pp. 2421, 2422; 2–55, Record, p. 6098.*

The previous question being demanded or ordered on a motion to concur in a Senate amendment, a motion to amend is not in order. *2–59, Record, pp. 4511–4513.*

A proposition germane, but involving legislation, has been admitted as an amendment to a Senate amendment to an appropriation bill. *1–56, Record, pp. 6565–6568, Journal, pp. 669, 670.*

(*f*) ***Insisting and receding.***

Conditions governing receding and insisting (with or without amendments) in cases arising over amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, pp. 205, 206.*

The House may not recede from its own amendments with an amendment. *Jefferson's Manual, Section XLV, p. 206; 1–59, Record, pp. 9566, 9568, 9569.*

Instance wherein one House receded from its amendment to a bill of the other House, although it had insisted and asked a conference, which had been agreed to. *1–59, Record, pp. 9087, 9147, 9149, 9152, 9246–9275.*

A division of the motion to recede and concur may be demanded. *1–57, Record, pp. 7391, 7392.*

A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. *Record, p. 4123.*

The amending House may insist at once upon its amendment and ask for a conference. (1370) *2–42, Journal, pp. 1077, 1100, 1103, Globe, p. 4428; 1–59, Record, p. 9195.*

Conferees having reported their inability to agree, a resolution insisting on the House's disagreement to the Senate amendments and asking a further conference was held to be privileged. (1356) *1–52, Journal, p. 230, Record, p. 5371.*

Respective duties of the House and Senate as to receding from disagreements over appropriation bills. (1365, footnote) *1–54, Record, pp. 6379, 6417, 6422; 2–55, Record, pp. 6536–6544, 6592; 2–55, Senate Report No. 577.*

AMENDMENTS BETWEEN THE HOUSES—Continued.

(*f*) ***Insisting and receding***—Continued.

One House may recede from its amendment after the other House has returned it amended. (1354) *2-55, Record, pp. 6097, 6099, 6377.*

When one House recedes from its amendment to a bill of the other, the bill is thereby passed, if there be no other point of difference as to the bill. *2-59, Record, pp. 4289-4247.*

(*g*) ***Adherence.***

After one House has adhered, the other may recede or ask a conference, which may be agreed to by the adhering House. (1358-1362) *1-1, Journal, pp. 104, 105, 113, 114, 116, 124, 125 (Gale & Seaton ed.); 1-2, Journal, p. 551; 1-3, Journal, p. 133.*

The House may agree to a conference without reconsidering its vote to adhere. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

The House may recede from its adherence. *1-57, Record, pp. 7387-7388.*

The House having adhered to its disagreement to a Senate amendment, and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. *1-57, Journal, pp. 833, 848, Record, pp. 7113, 7387.*

Instances have occurred where one House has adhered at once, and then has even refused a conference. (1363) *1-19, Journal, pp. 485, 510, 513, 517, 541, 545, 550, 568, 576, 590, Debates, pp. 2601, 2603.*

Instance wherein the House respectfully declined a conference asked by the Senate. *3-58, Record, pp. 3915, 3924, 3937.*

Where one House has voted at once to adhere, the other may insist and ask a conference; but the motion to recede has precedence. (1364) *1-23, Journal, p. 229, Debates, pp. 2493, 2494, 2498.*

The managers of a conference having reported inability to agree, the House voted to adhere to its disagreement to the Senate amendment, whereupon the Senate receded from it. *2-59, Record, pp. 4247, 4289.*

The Senate having asked "a full and free conference" on the differences as to all of its amendments to a bill, the House, ignoring this request, adhered as to two amendments, agreed to a third, and further insisted and asked a conference as to the remainder, which conference was granted. *1-57, Record, p. 7113, Journal, p. 833.*

An instance of prolonged disagreement, ending in adherence by both Houses. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

AMENDMENTS TO THE CONSTITUTION. See "Constitution of the United States."

APPEALS.

(*a*) *General provisions relating to.*
(*b*) *In Committee of the Whole.*
(*c*) *Laying on the table.*
(*d*) *None on question of recognition.*
(*e*) *Quorum not present.*
(*f*) *Dilatory.*

(*a*) ***General provisions relating to.***

The decision of the Speaker on questions of order is subject to appeal, on which appeal a member may speak but once. (45) *Rule I, section 4.*

In cases of a tie vote on an appeal the Chair has voted to sustain his own decision. (888, 1223, and 1677, footnote) *2-55, Record, pp. 2497-2500; 1-28, Journal, p. 618, Globe, p. 414; 1-31, Globe, p. 1608.*

An appeal is not in order when another appeal is pending. (1608, 1669, 1670, 1671) *1-31, Journal, pp. 735, 757, 762, 765, 854, Globe, pp. 1166, 1191, 1192; 1-27, Journal, p. 206, Globe, p. 154; 2-29, Globe, p. 290; 1-53, Journal, pp. 96-98.*

An appeal pending at an adjournment Friday, but not belonging to the class of business for which Friday is set apart, comes up on the succeeding day. (1672) *1-51, Journal, pp. 770-772, Record, p. 6353.*

According to the later practice an appeal falls by reason of the withdrawal of the proposition on which it is based. (928, 1584) *1-23, Journal, p. 631; 1-26, Journal, p. 57, Globe, pp. 51, 52; 3-55, Record, pp. 270, 271.*

After the motion is made for the previous question, all incidental questions of order, whether on appeal or otherwise, are decided without debate. (961) *Rule XVII, section 3.*

The ordering of the yeas and nays upon a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. (933) *1-51, Journal, pp. 770-772, Record, p. 6353.*

An appeal may not be taken from the response to a parliamentary inquiry. (1677) *2-55, Record, pp. 3379-3383.*

The House having voted to resolve itself into Committee of the Whole, the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. *2-57, Journal, p. 271, Record, pp. 2228, 2229.*

APPEALS—Continued.

(*b*) ***In Committee of the Whole.***

An appeal being taken from a decision of a chairman of a Committee of the Whole, the committee may rise and report the point of order to the House; but such has not been the general practice of the House. (735) *1-44, Journal, p. 945, Record, p. 3049.*

In Committee of the Whole, as well as in the House, a Member may speak but once on an appeal. (1676) *2-55, Record, p. 739.*

Debate on an appeal in Committee of the Whole has been limited by the committee itself, on motion put and carried, or by the committee rising to enable the House to limit it. (1673–1675) *1-52, Record, p. 4680; 2-55, Record, pp. 730, 731; 2-55, Record, pp. 3226–3232; 2-58, Record, pp. 3637, 3638.*

(*c*) ***Laying on the table.***

An appeal may be laid on the table; but does not carry with it the whole subject. (947) *1-26, Journal, pp. 529, 530.*

The motion to lay an appeal on the table may be entertained under general parliamentary law before the adoption of rules. (954) *1-51, Journal, p. 144, Record, p. 749.*

It is not in order to move to reconsider the vote whereby an appeal from a decision of the Chair is laid on the table. (1231, footnote) *1-33, Journal, pp. 735, 762.*

(*d*) ***None on question of recognition.***

There is, in the later practice, no appeal from a decision of the Speaker on a question of recognition. (67) *1-51, Journal, p. 177, Record, p. 981; 2-58, Record, p. 5050.*

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. *1-56, Record, p. 4494.*

An early case of an appeal from the decision of the Speaker on a question of recognition. (65) *3-34, Journal, p. 679.*

(*e*) ***Quorum not present.***

An appeal may be taken during a call of the House when less than a quorum is present. (340) *1-46, Record, p. 1577.*

A quorum not being present, an appeal has been entertained, and a motion to lay that appeal on the table; but a motion to reconsider was ruled out of order. (299) *1-44, Journal, p. 1492, Record, pp. 5647, 5649.*

While the absentees are being called for excuses, a motion to excuse a member from attendance and an appeal may not be debated. (334) *1-52, Journal, p. 342, Record, p. 6904.*

APPEALS—Continued.

(*f*) *Dilatory.*

When, in the opinion of the Speaker, motions or appeals have been made for the purpose of delay only, he has ruled them out of order as dilatory. (1612–1620) *1–51, Journal, p. 997, Record, p. 9239; 2–53, Journal, pp. 284, 286, 287, 292, 293, 295, 304, 305, Record, pp. 3333–3340, 3353, 3422, 3423; 2–54, Record, p. 2469; 1–55, Record, p. 2661; 2–55, Record, pp. 761, 762; 2–57, Record, p. 2828; 1–59, Record, pp. 7092, 7093.*

Pending consideration of a report from the Committee on Rules, appeals have been ruled out of order as dilatory. (1547) *1–53, Journal, pp. 96–98.*

A special order prohibiting "debate or intervening motion," it was held that an appeal should be entertained. *1–58, Journal, p. 81, Record, p. 388.*

The Speaker has declined to entertain an appeal. (225, 437, 1610) *2–53, Journal, pp. 292, 293, 295, 308, 309, Record, pp. 3351, 3352; 1–39, Globe, pp. 944, 945.*

APPOINTMENTS.

The elective officers of the House appoint the employees in their departments. (1704) *Rule II.*

APPORTIONMENT.

The law relating to apportionment. (1773) *Constitution, Article XIV, section 2, p. 45; 31 Stat. L., p. 733.*

Numbers of Representatives allowed each State in the various apportionments. *Jefferson's Manual, Section V, p. 140.*

Subjects relating to, belong to the jurisdiction of the Committee on the Census. *Rule XI, section 59.*

A bill making an apportionment of Representatives presents a privileged question. (1774) *2–51, Journal, p. 59, Record, p. 530.*

APPROPRIATIONS.

All propositions involving a tax or charge on the people, or parting with money or property of the Government, or relieving liability to the Government, or referring any claim to the Court of Claims are considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

The most recent decisions are that resolutions appropriating from the contingent fund need not be considered in Committee of the Whole, but earlier decisions are the other way. (1728–1733) *2–50, Record, pp. 356, 357; 1–52, Journal, p. 345, Record, p. 6945; 2–52, Journal, p. 126, Record, p. 2431; 2–51, Journal, p. 216, Record, p. 2199; 2–54, Record, p. 271.*

APPROPRIATIONS—Continued.

In making an appropriation for a purpose, the House may, under the rule, provide that a portion of the sum shall be withheld under certain conditions. *2-57, Record, pp. 2163, 2164.*

All officers making estimates of appropriations are to furnish the same to the Secretary of the Treasury by October 15 of each year. *31 Stat. L., p. 1009.*

Estimates of expenses of the Government are to be prepared and submitted according to the order and arrangement of the appropriation acts of the year preceding. *34 Stat. L., p. 448.*

APPROPRIATIONS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (612) *Rules X, XI, section 3.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

The Appropriations Committee may report appropriations for improvements of rivers and harbors that have been authorized by law and placed under contract. (674) *2-52, Record, pp. 1023, 1065.*

The appropriation for field guns and their appurtenances belong to the Appropriations and not to the Military Affairs Committee. (672, 673) *1-51, Record, pp. 2857, 2862; 2-55, Record, pp. 1479-1481; 2-59, Record, p. 907.*

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220; 1-59, Record, p. 3231; 2-59, Record, p. 907.*

Appropriations for barracks and quarters for troops of the seacoast artillery are within the jurisdiction of the Committee on Appropriations, and not of the Committee on Military Affairs. *2-59, Record, pp. 854, 900.*

Respective jurisdictions of Committees on Appropriations and Naval Affairs over appropriations for ocean and lake surveys. *1-56, Record, pp. 4391, 4427, 4443, 5135-5167, 6849, 6856, 6879-6885.*

Appropriations for vessels for submarine mine and torpedo work in connection with coast defenses belong to the jurisdiction of the Committee on Appropriations. *1-59, Record, pp. 3227-3229.*

Contingent expenses in the Bureaus of the Navy Department are appropriated for in the legislative and not the naval bill. *1-57, Record, pp. 5606, 5607.*

Employment of clerks in the Indian Office is within the jurisdiction of the Committee on Appropriations, and not of the Committee on Indian Affairs. *1-56, Record, pp. 1418, 1461.*

APPROPRIATIONS, COMMITTEE ON—Continued.

Stationery, books of reference, etc., for the Navy Department are provided in the legislative bill, under jurisdiction of the Committee on Appropriations. *1-56, Record, p. 4389.*

Appropriations compensating heirs of foreigners killed by mobs have come within the jurisdiction of the Committee on Appropriations. *2-57, Record, p. 339.*

APPROPRIATION BILLS.

(*a*) *Names, jurisdiction, constitution, etc.*
(*b*) *Privilege of.*
(*c*) *In Committee of the Whole*
(*d*) *River and harbor bills.*
(*e*) *Duties of House and Senate.*
(*f*) *Legislation on.*
(*g*) *Continuation of a public work or object—General principles.*
(*h*) *Continuation of a public work or object—Vessels, dry docks, etc.*
(*i*) *Continuation of a public work or object—Buildings, bridges, etc.*
(*j*) *Continuation of a public work or object—In general.*
(*k*) *Limitations—General principles.*
(*l*) *Limitations—Examples of.*
(*m*) *Limitations—What are not.*
(*n*) *Change of existing law—General principles.*
(*o*) *Change of existing law—As to salaries.*
(*p*) *Change of existing law—As to officials and employees.*
(*q*) *Change of existing law—As to buildings and works.*
(*r*) *Change of existing law—As to bureaus and services.*
(*s*) *Change of existing law—As to District of Columbia bill.*
(*t*) *Claims and deficiencies.*

(*a*) ***Names, jurisdiction, constitution, etc.***

The general appropriation bills and the dates of their origin. (612, footnote) *1-49, Record, p. 170.*

An appropriation bill covering several subjects may fairly be considered a general appropriation bill within the privilege conferred by the rule. *2-59, Record, pp. 1347, 1348.*

The committees which report them. *Rule XI, sections 3, 8, 10, 11-14, 16.*

A law directs the committees to draft the appropriation bills on the general order and arrangement of the acts of the preceding year. *34 Stat. L., p. 448.*

The payment of one-half of District of Columbia expenses out of District revenues is in order on appropriation bills other than the District bill. *1-56, Record, pp. 1893-1896.*

APPROPRIATION BILLS—Continued.

(*a*) ***Names, jurisdiction, constitution, etc.***—Continued.

An amendment appointing managers of the National Home for Disabled Volunteer Soldiers was held to be in order on the sundry civil appropriation bill. (1059) *1-51, Record, p. 6144.*

An amendment providing for the construction of the Nicaragua Canal was held not to be germane to the sundry civil appropriation bill. *3-55, Record, pp. 1872, 1908, 1909.*

Appropriations for the staff of employees in the office of the Commissioner of Indian Affairs belong to the legislative appropriation bill. *3-55, Record, pp. 281, 282; 1-56, Record, pp. 1418, 1461.*

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220.*

Appropriations for clerks in the office of the Chief of Staff belong on the army bill. *2-58, Record, pp. 1084, 1087.*

An appropriation for repairs and improvements of the House of Representatives was ruled to be in order on the sundry civil appropriation bill. *2-56, Record, pp. 2609, 2610.*

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

A treaty with Indians is not in order for ratification on the Indian appropriation bill. (570) *2-54, Record, p. 1266.*

An appropriation for river and harbor work not already authorized by law is not in order in the sundry civil appropriation bill. *2-57, Record, pp. 2081-2083.*

(*b*) ***Privilege of.***

The rule giving revenue and general appropriation bills precedence on the request of the appropriate committees. (389) *Rule XVI, section 9.*

General appropriation bills may be reported from the committee having charge of them at any time. (398) *Rule XI, section 59.*

The right of the Committee on Appropriations to report at any time is confined to general appropriation bills. (409-412) *2-44, Journal, p. 394, Record, p. 1320; 1-52, Journal, p. 348, Record, p. 6966; 2-55, Record, pp. 1589, 4500.* But under the more recent practice the rule has been construed liberally in regard to bills appropriating generally for the Government service. *1-56, Record, pp. 921, 2664, 3799.*

APPROPRIATION BILLS—Continued.

(*b*) ***Privilege of***—Continued.

In making the required motion under section 9 of Rule XVI, it is in order to designate the particular appropriation bill to be considered. (390) *1-51, Record, p. 3256.*

General appropriation bills have a highly privileged character which continues at all stages of proceedings, even on Fridays. (413) *1-51, Journal, p. 910, Record, p. 8027.*

A motion to go into Committee of the Whole to consider general appropriation bills is in order Friday as on other days. (392) *1-51, Journal, p. 398, Record, p. 2747.*

The motion to go into Committee of the Whole to consider general appropriation bills has precedence of a motion to go into Committee of the Whole on Friday to consider the Private Calendar. (393, 394) *2-55, Record, pp. 1436, 6077, 6078; 2-56, Record, p. 2476.*

The motion to go into Committee of the Whole to consider general appropriation bills is highly privileged and may be made on a suspension day. (391) *2-51, Journal, p. 251.*

The motion to go into Committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition, and the previous question may not be demanded on the motion. *3-55, Record, pp. 1995, 1996.*

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider appropriation bills are of equal rank. (395) *2-52, Journal, p. 108.*

(*c*) ***In Committee of the Whole.***

All bills laying a tax or charge on the people or appropriating money or property must be considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. *1-59, Record, pp. 4362-4365.*

Points of order are usually reserved when appropriation bills are referred to Committee of the Whole; otherwise the committee must consider the bill in its entirety and may not eliminate a portion which is in violation of the rule. (1644-1649) *1-48, Record, p. 5014; 2-48, Record, pp. 1677, 1927, 2097; 1-54, Record, pp. 581, 1119, 3411; 2-54, Record, pp. 311, 312; 2-55, Record, p. 6083.*

The House having resolved itself into Committee of the Whole for the purpose of considering a particular revenue or general appropriation bill, the Committee of the Whole may not take up another bill. (738) *3-46, Record, p. 1357.*

APPROPRIATION BILLS—Continued.

(*d*) ***River and harbor bills.***

The river and harbor bill is not a general appropriation bill. (461, 919, 1645) *2-48, Record, pp. 1604-1612, 1677, 1927, 2097; 1-51, Record, pp. 5362, 5397.*

The river and harbor bill not being one of the general appropriation bills, the rule relating to legislation on such bills does not apply to it. (569) *3-46, Record, pp. 1618-1624; 2-56, Record, p. 1091; 3-58, Record, p. 3202.*

A subject of which the river and harbor committee has jurisdiction may be reported in the river and harbor bill. *3-58, Record, pp. 3225, 3226.*

River and harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. *1-56, Record, pp. 5198, 5199; 2-58, Record, p. 4000.*

An amendment prohibiting the employment of nonresident foreigners on certain river and harbor works was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1095, 1096.*

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. *1-57, Record, p. 3093.*

(*e*) ***Duties of House and Senate.***

Respective duties of the House and Senate as to receding from disagreements over appropriation bills. (1365, footnote) *1-54, Record, pp. 6379, 6417, 6422; 2-55, Record, pp. 6536-6544, 6592; 2-55, Senate Report No. 577.*

(*f*) ***Legislation on.***

The "rider" rule for preventing legislation on appropriation bills. (485) *Rule XXI, section 2.*

Points of order at the time of reference to Committee of the Whole are reserved only on general appropriation bills. *1-59, Record, p. 6840.*

(*g*) ***Continuation of a public work or object—General principles.***

A public work or object, to come within the terms of the rule, must be actually "in progress" according to the usual significance of the words. (505) *1-54, Record, p. 3447.* See, however, *1-59, Record pp. 6914, 6915.*

By public works and objects already in progress are meant tangible matters, like buildings, roads, etc., and not duties in the public service. (502, 503) *1-51, Record, pp. 3835, 3881; 2-54, Record, pp. 1356, 1358; 1-59, Record, pp. 4054, 4055, 4060, 4143, 4144, 4200, 8415, 8423, 8432, 8438, 8487, 8488.*

APPROPRIATION BILLS—Continued.

(*g*) ***Continuation of a public work or object—General principles***—Continued.

The continuation of a public work which has long been interrupted has been held to justify an appropriation. *2-57, Record, pp. 2049, 2050.*

An appropriation in violation of existing law is not in order for the continuance of a public work. *1-56, Record, p. 4500; 1-57, Record, pp. 5613, 5635, 5637.*

An appropriation for a public building, in excess of the limit of cost fixed by law, is not in order on an appropriation bill. *2-58, Record, pp. 1148, 4063, 4064.*

The continuation of a public work must not be so conditioned in relation to place as to become really a new work. *1-56, Record, p. 5194.*

An amendment for an enlargement of a general service of the Government is not in order under the clause relating to the continuation of a public work or object. *1-56, Record, pp. 1458-1460; 2-56, Record, p. 2437.*

(*h*) ***Continuation of a public work or object—Vessels, dry docks, etc.***

The completion of a naval vessel, although the work has been long interrupted, is the continuation of a public work. (486) *2-48, Record, pp. 1913, 1914.*

The construction of a new vessel for the Navy is the continuation of a public work already in progress. (487) *2-49, Record, pp. 2336, 2337.*

The authorization of additional seamen for the Navy has been held to be the continuation of a public work. (488) *3-53, Record, p. 2406.*

The construction of a new vessel for the Coast Survey was held not to be the continuation of a public work or object. *1-56, Record, pp. 5167, 5168.*

The establishment of a light-house, and even the building of a new vessel for a light-house tender, has been ruled not to be in continuation of a public work. (498, 499) *1-49, Record, p. 5976; 1-49, Record, pp. 5977, 5979; 2-56, Record, pp. 2377-2380.*

An appropriation to man and equip vessels already possessed by the Coast Survey was held to be in order. *1-56, Record, pp. 5168, 5172.*

The construction of a new dry dock for the Navy, except where specially authorized by law, has been held not to be the continuation of a public work within the meaning of the rule. (493-497) *1-51, Record, p. 3274; 1-52, Record, pp. 3225-3261; 1-54, Record, p. 3200; 2-54, Record, p. 2150; 2-55, Record, p. 3389; 2-59, Record, pp. 2915, 2916.* So also as to a floating dock. *1-59, Record, pp. 6737-6743, 6984, 6985; 2-59, Record, pp. 2918, 2919.*

APPROPRIATION BILLS—Continued.

(*h*) ***Continuation of a public work or object—Vessels, dry docks, etc.***—Cont'd.

The selection of a site for a naval magazine was held not to be the continuation of a public work or object. *1-57, Record, p. 5600; 2-58, Record, pp. 2329, 2330.*

A proposition to appropriate for the establishment of an armor-plate factory was held not to be in order on the naval appropriation bill, such appropriation not being in continuation of a public work or object. *3-55, Record, pp. 2191, 2246; 1-56, Record, p. 4495.*

The creation of a board to select a site for a naval training station was held not to be such a beginning of a work as to authorize appropriation for the station itself. *2-57, Record, pp. 2325-2327; 2-58, Record, pp. 1387, 1388, 2281, 2329.*

The erection of new buildings for a naval hospital, with an authorization to acquire a new site, was held to involve legislation. *2-57, Record, p. 2363.*

(*i*) ***Continuation of a public work or object—Buildings, bridges, etc.***

An enlargement of the land and water rights of a fish-culture station was held to be the continuation of a public work. *2-56, Record, pp. 2541, 2542.*

A proposition that a manual-training department should be made a part of every Indian school hereafter to be established was held subject to the point of order. (564) *2-54, Record, pp. 1190, 1191.*

The repair of a bridge built at Government expense is the continuation of a public work. (504) *2-54, Record, pp. 1261, 1268.*

The construction of a bridge on a road in the District of Columbia was held to be the continuation of a public work. *1-56, Record, p. 5173.*

An appropriation for rent and repairs of buildings used in the public service was held to be in continuation of a public work. *3-58, Record, pp. 1483-1485.*

An appropriation for operating and repairing a sawmill already constructed by the Government was held to be in continuation of a public work. *2-56, Record, p. 477.*

The erection of a new schoolhouse in the District of Columbia was held not to be in continuation of a public work. *3-58, Record, pp. 1320, 1321.*

An appropriation for continuation of an authorized road, in the District of Columbia, and not in excess of the limit of cost, was admitted as in continuation of a work. *3-58, Record, pp. 1301, 1302.*

APPROPRIATION BILLS—Continued.

(*i*) ***Continuation of a public work or object—Buildings, bridges, etc.***—Cont'd.

An appropriation to build a new road to a national cemetery was ruled out of a general appropriation bill, as not being a legitimate continuation of the cemetery as a public work. *2-59, Record pp. 3768, 3770.*

An appropriation for repair of an existing Government road to a national cemetery is in order on a general appropriation bill as in continuance of a public work. *2-59, Record p. 3765.*

The completion of the buildings at the Army War College was held to be in continuation of a public work. *2-58, Record, pp. 1156, 1159.*

In some circumstances the erection of a new building at a Government establishment has been held to be the continuation of a public work; but under others it has not been so held. (489-492) *2-50, Record, p. 717; 2-55, Record, p. 3398; 1-52, Record, pp. 1656, 1686; 2-54, Record, p. 1192; 2-56, Record, pp. 1412-1414.*

While holding generally that a proposition to erect a new building at a Government institution was not in order, the chairman, out of deference to previous decisions, admitted a paragraph for cadet quarters at the Naval Academy. *1-56, Record, pp. 4396, 4443.*

The construction of a new building at the Naval Academy, but not for the work of the Academy, was held not to be a continuation of a public work. *1-57, Record, p. 5607.*

The erection of an armor-plate factory, even though on land already owned by the Government, is not the continuation of a public work. *2-58, Record, pp. 2440-2442.*

The construction of barracks at a navy-yard was held not to be the continuation of a public work or object. *1-57, Record, pp. 5590, 5592.*

An appropriation for officers' quarters at a navy-yard is not in order on the naval appropriation bill as in continuance of a public work. *2-59, Record, pp. 2916, 2917.*

A building for a naval prison at a navy-yard was held not to be in continuation of a public work. *3-58, Record, p. 2797; 2-59, Record, p. 2915.*

An appropriation for a hospital for lepers at a naval station was held not in order on the naval appropriation bill as in continuation of a public work. *2-59, Record, p. 2919.*

The erection of necessary fireproof outbuildings for the Bureau of Engraving and Printing was held to be the continuation of a public work. *1-56, Record, p. 5100.*

APPROPRIATION BILLS—Continued.

(*i*) ***Continuation of a public work or object—Buildings, bridges, etc.***—Cont'd.

The erection of laboratory buildings for the Department of Agriculture was held not to be in continuation of a public work already in progress. *1-56, Record, p. 3993.*

An appropriation for Weather Bureau observatories was held not to be in continuation of a public work or object. *1-57, Record, pp. 4784, 4785.*

An appropriation for buildings and grounds for a new army hospital was held not to be in continuation of a public work. *2-58, Record, pp. 1148-1151.*

Although an appropriation had previously been made for the purchase of a site for a public building, a proposed amendment appropriating for the construction of the building was ruled out of order. *2-45, Record, p. 4445.*

While it is in order on an appropriation bill to provide for the repair of a building, it is not in order to provide for a new building in place of one destroyed. *1-59, Record, pp. 7637, 7640; 2-59, Record, pp. 3565, 3566.*

A proposition to repair paving originally laid by the Government in a city street adjacent to a public building was held not to be in continuation of a public work. *1-59, Record, pp. 7592, 8645-8648.*

The purchase of adjoining land for a work already established was held to be in continuation of a public work; but an amendment for acquiring a new site was ruled out. *1-56, Record, pp. 5178, 5179, 5186-5188; 2-56, Record, pp. 2666-2669; 1-57, Record, pp. 4787, 5593, 5595; 2-59, Record, pp. 1176, 1178, 2965, 3703.*

A proposition to purchase a separate and detached lot of land for an army target range was held not to be in continuation of a public work. *1-59, Record, p. 8299.*

While the fortifications appropriations bill carries general appropriations for a plan of work in progress, specific appropriations for individual works not authorized by law and not in progress are not in order thereon. *2-59, Record, pp. 1175-1176.*

An appropriation for current repairs and improvements in the Botanic Garden was held to be the continuation of a public work. *1-59, Record, p. 4144.*

(*j*) ***Continuation of a public work or object—In general.***

The law having authorized surveys to determine the practicability of a cable to Hawaii, a proposition to authorize the construction of a cable to Hawaii and the Philippines was held not to be within the exception relating to the construction of a public work. *3-55, Record, pp. 1864-1866.*

APPROPRIATION BILLS—Continued.

(*j*) ***Continuation of a public work or object—In general***—Continued.

The construction of a submarine cable, although in extension of one already laid, was held not to be in continuation of a public work. *2-58, Record, pp. 1081, 1082.*

The making of a survey to ascertain the feasibility, etc., of a proposed public work was held not to be such a beginning of the work as would authorize an appropriation in an appropriation bill. *3-55, Record, pp. 1872, 1908, 1909; 1-57, Record, pp. 1997-2000.*

The continuation of special facilities for mail service on trunk lines of railroad has been held to be such public work or object as would justify provision on an appropriation bill. (500, 501) *2-52, Record, pp. 1807, 1813; 1-54, Record, p. 2664; 3-58, Record, pp. 1795, 1798.*

A proposition to continue an extra compensation for an ordinary facility for carrying the mails is not the continuation of a public work. *3-58, Record, pp. 1795, 1798.*

An appropriation to continue the duties of a commission was held not to be the continuation of a public work. *2-58, Record, pp. 1381-1383.*

The gauging of streams was held not to be a continuing work within the meaning of the rule. *1-59, Record, pp. 8432-8438; 2-59, Record, pp. 3771-3781, 3784, 3785.*

An appropriation for the printing of a series of opinions indefinite in continuance is not such continuance of a public work as justifies placing it in a general appropriation bill. *2-59, Record, pp. 3371-3372.*

The continuation of an investigation of materials, coal, etc., was held not to be the continuation of a public work. *1-59, Record, pp. 8487-8496.*

An appropriation for the purchase of play grounds for the District of Columbia was held not to be such a continuation of the work of the school system as would enable it to be placed in a general appropriation bill. *2-59, Record, pp. 1297-1299, 1475.*

An appropriation for continuing the work of extending the foreign market of certain products was held not in order as for the continuation of a public work. *1-59, Record, pp. 6142-6144.*

The recoinage of uncurrent fractional silver coins in the Treasury was held to be in continuation of a public work or object already in progress. (506) *1-52, Record, pp. 4294, 4385.*

An appropriation to continue the marking of a boundary line of the nation is in continuation of a public work. *2-58, Record, p. 1383.*

A proposition to complete the marking of certain graves of soldiers was held to be in continuation of a public work. *1-59, Record, p. 8293.*

APPROPRIATION BILLS—Continued.

(*j*) ***Continuation of a public work or object—In general***—Continued.

The continuation of the preparation of a geological map of the United States was held to be in continuation of a public work within the meaning of the rule. *2–59, Record, pp. 3777, 3781, 3784.*

The continuing of a topographical survey was held to be the continuation of a public work. *1–59, Record, pp. 8432–8438; 2–59, Record, pp. 3806, 3807.*

An appropriation to complete a list of claims was held to be in continuation of a public work or object. *2–57, Record, p. 282.*

The distribution of card indexes, etc., by the Library of Congress was held to be in continuation of a public work. *1–59, Record, pp. 4139–4140.*

While an appropriation for a new Army post was held to involve legislation, a general appropriation for the shelter and protection of troops was held to be in order. *1–57, Record, pp. 889–895.*

The building of a road on land not owned by the Government was held not to be in continuation of certain Government works on a battlefield. *2–56, Record, pp. 2678, 2679.*

An appropriation for the support and civilization of a tribe of Indians was held not to be in continuation of the work of the Indian service. *2–56, Record, pp. 473, 474.*

An appropriation for free evening lectures in the school buildings of the District of Columbia was held to be without authorization of law and not in continuation of the public work of education. *2–59, Record, pp. 1468, 1469.*

Question as to appropriations for incidental and contingent expenses in the consular and diplomatic service. *1–59, Record, pp. 7636, 7637, 7641.*

(*k*) ***Limitations—General principles.***

General discussion of the principles of the limitation which may be placed on an appropriation without violating the "rider" rule. (530) *1–54, Record, pp. 764–769.*

A limitation is negative in its nature, and may not include positive enactments establishing rules for executive officers. *2–57, Record, pp. 2197, 2198, 2200, 2394, 2398, 2399; 3–58, Record, pp. 98, 99; 2–59, Record, pp. 312, 318, 3062, 3068.*

The House may by limitation provide that no part of an appropriation shall be used for a certain purpose. *2–58, Record, p. 2052; 3–58, Record, pp. 1094, 1095, 1194; 1–59, Record, pp. 1320, 1321, 1323, 6913, 8581, 8597.*

(*k*) ***Limitations—General principles***—Continued.

Provisions as to the method of doing a work have been held to involve legislation, even though the work itself might be authorized. *2–57, Record, pp. 2049, 2050.*

A limitation must apply solely to the present appropriation, and may not be made as a permanent provision of law. (522) *1–52, Record, p. 2282; 3–55, Record, pp. 2164, 2165; 1–57, Record, p. 5607; 2–58, Record, p. 1416; 1–59, Record, pp. 4046–4047; 2–59, Record, pp. 1768, 1769.*

A limitation applies only to an appropriation, and not to Indian trust funds. *3–58, Record, pp. 1196, 1201; 1–59, Record, pp. 3539–3541.*

The limitation must be upon the appropriation and not as an affirmative limitation upon official functions. *1–56, Record, pp. 4633, 4636, 4640; 1–57, Record, pp. 5640, 5643; 2–58, Record, pp. 2384, 2385, 3961, 3962, 4016; 1–59, Record, pp. 5247, 6277, 7671, 7672.*

The House may provide that no part of an appropriation shall be used except in a certain way, even though executive discretion be thereby restricted. *2–58, Record, pp. 2434–2438, 2876, 2877, 3441, 3445, 3517, 3520, 3578, 3581, 3646, 3647; 3–58, Record, pp. 3577–3581; 1–59. Record, pp. 3177, 4355–4357, 5163, 5164.*

While a limitation may provide that no part of an appropriation shall be used except in a certain way, yet the restriction of executive discretion may not go to the extent of an imposition of new duties. *1–59, Record, pp. 8601–8602, 8652–8654.*

A limitation on the discretion exercised under law by a bureau of the Government is a change of law. *3–58, Record, p. 2751.*

The language of limitation prescribing the conditions under which the appropriation may be used, may not be such as, when fairly construed, would change existing law. *2–58, Record, pp. 3528–3529, 3638, 3650, 4058, 4059; 3–58, Record, pp. 2932, 2950; 1–59, Record, pp. 1448, 1450, 5152, 5153, 5159, 5162; 2–59, Record, pp. 3469–3471.*

Legislation may not be proposed under the form of a limitation. (521) *1–51, Record, pp. 3262–3264; 2–56, Record, pp. 1349, 1350; 1–59, Record, pp. 4506, 4508, 4509.*

A limit of cost on a public work may not be made or charged on an appropriation bill. *1–59, Record, pp. 6288, 6295.*

(*l*) ***Limitations—examples of.***

A provision that no part of certain moneys appropriated for a naval station should be used until the United States had acquired the title to a certain needed tract of land was held to be a limitation. (508) *2–55, Record, pp. 3256, 3257; 2–56, Record, p. 2434.*

A provision that no part of an appropriation for pay of retired army officers should go to one receiving pay for services as a civil employee was held to be a limitation. *2–58, Record, p. 1142.*

APPROPRIATION BILLS—Continued.

(*l*) ***Limitations, examples of***—Continued.

An amendment that no part of the appropriation for the Army should be available for an army of over a certain size, was held to be a limitation. *3-58, Record, pp. 715-716.*

A provision that no part of an appropriation for settlement of judgments against the United States should be paid until time for an appeal, should expire, was held to be a limitation. *2-56, Record, pp. 2791, 2792.*

A provision that no part of an appropriation for a certain amount should be expended until estimates of the entire cost had been made, was held to be a limitation. *3-58, Record, p. 2761.*

To a provision for payment of the expenses of certain judges a proviso that no part of the money should be expended except on an itemized statement, was held in order. *1-59, Record, p. 1611.*

To a paragraph providing for armor and armament of naval vessels a proviso that the total cost of armor should not exceed a certain amount and that no contract should be made in excess of a certain price per ton was held to be a limitation merely. (509) *2-55, Record, p. 3482.*

A provision that no part of a sum appropriated for armor plate should be expended except for armor of a certain cost and quality was held to be a limitation. *3-55, Record, pp. 2165, 2190.*

It is in order, in appropriating for the construction of a building, to provide by limitation that the money shall be used only for a building of certain dimensions. *2-58, Record, pp. 2685, 2686.*

A provision that no greater price should be paid for armor plate than was paid in this country by other Governments for the same article was held to be a limitation. *3-55, Record, p. 2252.*

A paragraph providing that an appropriation should be expended in the United States, an amendment providing for purchase in the world's markets on the best terms, was held in order. *1-59, Record, p. 1439.*

While it is not in order to legislate as to the qualifications of the recipients of an appropriation, the House may specify that no part of the appropriation shall go to recipients lacking certain qualifications. *2-56, Record, pp. 1696-1698; 2-57, Record, p. 1016; 2-58, Record, pp. 4050-4054.*

It is in order to provide by a limitation that a certain proportion of an appropriation shall be withheld from recipients lacking certain qualifications. *1-59, Record, pp. 8130-8131; 2-59, Record, pp. 3811, 3812.*

APPROPRIATION BILLS—Continued.

(*l*) *Limitations, examples of*—Continued.

It is in order to provide by a limitation that a certain proportion of an appropriation shall be withheld from recipients lacking certain qualifications. *2-58, Record, pp. 4017-4018.*

A provision that no part of any appropriation for an article should be paid to any trust was held in order as a limitation. *1-59, Record, p. 3235.*

An amendment providing that no part of an appropriation for a certain service should be expended for service beyond that for which contracts had already been made was held to be a limitation. (515) *2-55, Record, p. 2974.*

A proviso that money for a bridge shall not be available until a corporation using it shall fulfill certain conditions was admitted as a limitation. *2-58, Record, p. 2759.*

To a provision appropriating for the support of Army hospitals an amendment excepting a certain hospital from the benefits of the appropriation was decided to be a limitation. (516) *2-54, Record, pp. 221-225.*

A provision that an appropriation for the pay of volunteer soldiers should not be available longer than a certain period after the ratification of a treaty of peace was held to be a limitation merely. *3-55, Record, pp. 84, 85.*

A provision directory as to the manner of payment of the compensation of certain Government employees was held to be a limitation. (510) *2-55, Record, p. 3013.*

While it is not in order on an appropriation bill to require lettering on public vehicles, it is in order to withhold the appropriation from all not lettered. *2-58, Record, p. 4068.*

Instances wherein affirmative directions as to the expenditure of money were admitted as limitations. *2-57, Record, pp. 1010, 1011; 2-58, Record, pp. 1683, 1685.*

A provision that an emergency fund for the maintenance of the Navy should be expended at the discretion of the President was held to be a limitation. *1-56, Record, p. 4381.*

An amendment to the Post-Office appropriation bill providing that no part of the money therein appropriated should be expended in carrying out any contract under the law relating to ocean mail service was held to be a limitation. (527) *1-52, Record, pp. 5003, 5004.*

The Postmaster-General having general authority to transport the mails, an appropriation for a specific method of transportation was held to be a limitation. (514) *2-55, Record, p. 2964.*

APPROPRIATION BILLS—Continued.

(*l*) ***Limitations, examples of***—Continued.

In an appropriation for marine free-delivery mail service at Detroit, Mich., a proviso that the service should be performed by rowboats was held to be a limitation. (529) *2-54, Record, p. 1773.*

A provision being proposed that certain appropriations for charitable and reformatory work in the District should be disbursed by the District Commissioners, it was held that it was in order for the House to designate the instrumentality to be used in expending the appropriation. (520) *1-54, Record, p. 3783.*

To provisions appropriating for schools and charities, certain restrictions relating to sectarian institutions were held to be limitations. (517-519) *1-54, Record, p. 1307.*

(*m*) ***Limitations—What are not.***

In the pension appropriation bill a paragraph proposing a construction of existing law different from that adhered to by the Department was held to be legislation and not a limitation. (530) *1-54, Record, pp. 764-769.*

A provision for the construction of an armor-plate factory was held not in order as a limitation on an appropriation for armor plate. *2-58, Record, pp. 2382, 2383; 3-58, Record, pp. 2945, 2946.*

Provisions that bids for the construction of naval vessels should be limited to bidders having adequate plants and not having over a specified number of vessels under contract were held to be in the nature of legislation and not limitations. *3-55, Record, pp. 2158-2160.*

A requirement that the Secretary of the Navy should have certain new vessels constructed in navy-yards was held to be legislation and not a limitation. *1-56, Record, p. 4493; 2-58, Record, pp. 2384, 2385.* See, however, *2-56, Record, pp. 1414-1428.*

In the section appropriating for expenses of participation by the United States in the Paris Exposition, provisions establishing the details of that participation, creating officials and salaries, etc., were held to be legislation and not merely a limitation upon the expenditure. (513) *2-55, Record, p. 2287.*

In a paragraph appropriating for street lighting a clause providing that wires should be placed underground was held to be a change of law and not a limitation. (512) *1-51, Record, pp. 433, 467, 468.*

A proviso diverting a portion of an appropriation for street lighting to the care of certain experimental lamps was ruled to be a change of law and not a limitation. (511) *2-55, Record, p. 1213.*

APPROPRIATION BILLS—Continued.

(*m*) ***Limitations—What are not***—Continued.

An amendment proposing to make the payment of the salaries of certain officials or employees dependent upon a contingency was held to be a change of law and not a limitation. (523, 524, 525) *1-51, Record, pp. 3830-3832, 3902; 1-54, Record, p. 1895; 2-59, Record, p. 318.*

The House may not under guise of limitation on a general appropriation bill, grant the whole appropriation for a general service on condition that an executive officer shall take a certain course as to a specific service. *2-59, Record, pp. 1470-1471.*

Restrictions as to leaves of absence and hours of labor of employees of the Government Printing Office were held to be out of order in an amendment offered as a limitation. (526) *1-51, Record, pp. 6155-6158, 6185.*

To a paragraph appropriating for the transportation of mails, an amendment relating to the prices to be established in the contracts was held to be a change of law and not a limitation. (528) *2-55, Record, p. 2979.*

In appropriating for a bridge it is not in order by provisos to determine conditions of future use of it. *2-58, Record, pp. 2699, 2700.*

A proposition that electric and cable cars carrying the mails should be run at regular intervals, unconnected with passenger cars, etc., was ruled to be a change of law and not a limitation merely. (507) *2-55, Record, pp. 3000, 3001.*

An amendment providing that no portion of an appropriation for manufacture of stamped envelopes should be expended in printing return cards on them was ruled out of order. *3-55, Record, p. 823.*

A proposed amendment limiting the kinds of seeds to be purchased under the law was held to be a change of law and not a limitation. *1-56, Record, pp. 3989, 3990.*

(*n*) ***Change of existing law—General principles.***

The enactment of positive law where none exists is a change of existing law within the meaning of the rule. (557) *1-54, Record, p. 1306.*

It has been generally held that provisions giving a new construction of law, or limiting the discretion which has been exercised by officers charged with the duties of administration, are changes of law within the meaning of the rule. (531-536) *2-46, Record, pp. 1674, 1675; 2-53, Record, pp. 3507-3512; 1-54, Record, p. 2079; 2-55, Record, pp. 1420, 2142, 2143; 2-56, Record, pp. 2432-2434; 1-57, Record, pp. 697-699; 2-58, Record, pp. 2438-2440; 1-59, Record, pp. 5246, 5247.*

APPROPRIATION BILLS—Continued.

(*n*) ***Change of existing law—General principles***—Continued.

A provision authorizing or directing an officer of the Government to do things, involves legislation. *1-57, Record, pp. 3569-3570; 1-59, Record, p. 6991; 2-59, Record, pp. 2785-2901, 3479.*

A provision returning an unexpended balance to the Treasury was held to be in order on an appropriation bill. *3-58, Record, pp. 2798, 2799.*

An appropriation for an object in an annual appropriation bill makes law only for that year, and does not become "existing law" to justify a continuance of the appropriation. *3-55, Record, pp. 163, 164; 1-57, Record, pp. 1466, 1467; 2-58, Record, p. 4060.*

A deficiency appropriation to complete a transportation of silver coin authorized for the current year was held in order, although the original appropriation may have been without authority of law. *1-59, Record, pp. 1325, 1327.*

Existing law may not be changed, even by changing the word "may" to "shall." (562) *1-51, Record, p. 2493.*

It is not in order to propose on an appropriation bill an expenditure prohibited by law. *2-56, Record, p. 2097.*

An amendment to the description of the object for which an appropriation is made is not legislation. *3-58, Record, pp. 3802-3804.*

The omission to appropriate during a series of years for an object authorized by law does not repeal that law; and consequently an appropriation, when proposed, is not subject to the point of order. (556) *2-45, Journal, p. 1005, Record, pp. 3164-3177.*

The reenactment from year to year of a law intended to apply during the year of its enactment only does not relieve the provision from the point of order. *3-58, Record, pp. 1093, 1094.*

An amendment for taking away from a Department officer a power conferred by law was held to be a change of law. (577) *1-52, Record, p. 5005; 2-58, Record, pp. 3435, 3436, 3440, 3594, 3646.*

A department being created for the declared purpose of investigation, an appropriation for the instrumentalities of such investigation was held to be within the rule. *2-56, Record, pp. 2437, 2538.*

A limitation on the discretion exercised under law by a bureau of the Government is a change of law. *3-55, Record, pp. 625-628.*

It is not in order to move to recommit with instructions to report an amendment which would be a change of existing law. (1039-1040) *2-52, Journal, p. 96, Record, p. 1754.*

APPROPRIATION BILLS—Continued.

(*n*) ***Change of existing law—General principles***—Continued.

A paragraph which changes existing law being allowed by general consent to remain, it may be perfected by any germane amendment. (1068–1070) *1–48, Record, p. 5146; 2–54, Record, p. 390; 2–55, Record, p. 2941; 1–57, Record, pp. 1468–1473, 5643–5648; 2–58, Record, pp. 2278, 2279, 2388, 2389, 3591, 3594, 4059, 4060; 1–59, Record, pp. 4462, 6519, 6520, 6987; 3–58, Record, pp. 1733, 2943, 2945; 2–59, Record, pp. 3063–3066.* But this does not permit an amendment which adds additional legislation. *2–58, Record, pp. 3958–3961.*

A proposition germane, but involving legislation, has been admitted as an amendment to a Senate amendment to an appropriation bill. *1–56, Record, pp. 6565–6568, Journal, pp. 669, 670.*

A paragraph in an appropriation bill changing existing law may be perfected only by germane amendments. *1–56, Record, pp. 4678–4690.*

The House may, upon a report by the Committee on Rules, authorize on an appropriation bill legislation which would otherwise be subject to the point of order. (580) *2–52, Record, pp. 1302, 1306; 1–57, Journal, p. 663, Record, p. 4894; 2–58, Record, pp. 3705, 3710; 1–59, Record, pp. 1603, 1608, 1609; 2–59, Record, p. 897.*

Pending the engrossment of a general appropriation bill, an amendment proposing legislation may be authorized by the adoption of a report from the Committee on Rules. *2–59, Record, pp. 3492, 3494.*

Instance wherein, on a motion to suspend the rules, the House ordered the Clerk to incorporate in the engrossment of a general appropriation bill already passed a provision embodying legislation. *2–59, Record, p. 3494.*

The admissibility of an amendment should be judged from the provisions of its text rather than from the purpose which circumstances may suggest. *1–57, Record, pp. 889–895.*

A paragraph in an appropriation bill reenacting a permanent provision of law may not be amended. *1–57, Record, pp. 704, 705.*

A paragraph in an appropriation bill reenacting verbatim an existing law is not subject to a point of order. *2–58, Record, p. 1687; 1–59, Record, p. 3541.*

Instance wherein the Committee of the Whole struck out a paragraph for the reenactment of a provision already permanent law. *1–59, Record, pp. 6140, 6141.*

The reappropriation of an unexpended balance for an object authorized by law may be made on an appropriation bill. (567) *2–54, Record, p. 1777; 2–59, Record, pp. 2985, 2986.*

APPROPRIATION BILLS—Continued.

(*n*) ***Change of existing law—General principles***—Continued.

The reappropriation of a sum required by law to be covered into the Treasury was held not to be a change of law. *3–55, Record, pp. 624–627.*

Where the law limits appropriations to two years, a provision that an appropriation shall remain available until expended is in violation of existing law. *2–58, Record, pp. 1081, 1082.*

A proposition to authorize a contract for future expenditures on public works was held to be in violation of existing law. *1–59, Record, pp. 6747, 6904, 6906, 8020–8022.*

A proposition that certain specified amounts to be severally appropriated for certain specified objects should be to a limited extent interchangeable among those several objects was held to be in order. *2–56, Record, pp. 2539–2541.*

A treaty having been ratified by one only of the contracting parties, it was held not to have become law to the extent of sanctioning an appropriation on an appropriation bill. *3–55, Record, pp. 1944, 1948, 1956, 1958, 1959.*

If a motion to strike out certain words in a paragraph of appropriation in a general appropriation bill would change the object from one authorized by existing law to one not so authorized, the motion is not in order. *2–59, Record, pp. 3569, 3570.*

Those upholding an item in an appropriation should have the burden of showing the law authorizing it. *1–59, Record, p. 8513.*

The point of order against unauthorized appropriations or legislation in general appropriation bills may be made against a portion of a paragraph, even though it be not more than two words. *2–59, Record, pp. 1964, 1965.*

(*o*) ***Change of existing law—As to salaries.***

Propositions to increase salaries fixed by law or appropriated for offices not established by law are subject to the point of order. (549–553) *2–54, Record, pp. 1441, 1443; 1–51, Record, pp. 3444, 3893, 3902; 2–55, Record, p. 3397; 1–59, Record, pp. 4365–4368.*

It is not a change of existing law for the House to decline to make appropriation for salaries fixed by law. (547) *1–55, Record, p. 1443.*

The appropriation of a less sum than the amount fixed by law for the salary of an officer is not a change of law, even though it be accompanied by such a condition as practically effects a reduction of the salary. (546) *1–54, Record, pp. 2009–2019; 1–57, Record, pp. 1424–1426; 2–57, Record, p. 379; 2–58, Record, p. 770; 3–58, Record, pp. 109, 110.*

APPROPRIATION BILLS—Continued.

(*o*) ***Change of existing law—As to salaries***—Continued.

In the absence of a general law fixing a salary the amount appropriated in the last appropriation bill has been held to be the legal salary, although in violation of the general rule that the appropriation bill makes law only for the year. *1-50, Record, pp. 4717-4719; 1-56, Record, pp. 1628, 1890; 1-57, Record, pp. 1420-1422; 2-57, Record, pp. 1009, 1010; 2-58, Record, pp. 771, 772; 3-58, Record, pp. 1306, 1313, 2922, 2923; 1-59, Record, pp. 4497-4499.*

The mere appropriation for a salary does not thereby create an office, so as to justify appropriations in succeeding years. *1-57, Record, pp. 1466, 1467; 1-59, Record, pp. 3092, 3161, 3163, 4037, 4044, 4046, 4054, 4055.*

The simple increase of an appropriation over the amount carried for the same purpose in a former bill does not constitute a change of law. *2-56, Record, p. 2539.*

A provision of the current law of an appropriation does not fix a salary as against a provision of general law. *1-56, Record, p. 1902.*

A proposition to appropriate for but one Civil Service Commissioner, instead of for the three provided for by statute, was held to be a change of law. (559) *1-51, Record, p. 3790.*

The law having provided for an officer and fixed his salary, it is not in order to omit to appropriate for this officer and create another in his place. (554) *1-54, Record, pp. 1808, 1809.*

(*p*) ***Change of existing law—As to officials and employees.***

An amendment to extend to the Government Printing Office the regulations relating to leaves of absence as applied in other Departments was held to be subject to the point of order. (555) *2-52, Record, p. 1394.*

The law authorizing the heads of Departments to employ such clerks as may be appropriated for does not apply to officers not attached to Departments, or to offices not at the seat of Government. *1-56, Record, pp. 3441, 3442, 3497; 3-58, Record, pp. 97, 98; 1-59, Record, pp. 3092, 3161, 3163, 4182, 4183.*

A general law authorizing certain employees when specifically provided for in an appropriation bill, a provision making the appropriation for them was held in order. *2-56, Record, pp. 2538, 2539.*

The general law authorizing the employment in the Executive Departments of such clerks as may be appropriated for is held to authorize appropriations for clerkships not otherwise authorized. *3-58, Record, pp. 106-108.*

APPROPRIATION BILLS—Continued.

(*p*) ***Change of existing law—As to officials and employees***—Continued.

A law authorizing the employment of "watchmen, laborers, and other employees" was held not to contemplate such officials as superintendents and clerks in a Department. *1-57, Record, pp. 1466, 1467.* Construction of this law. *1-59, Record, pp. 4193, 4195, 4362-4365.*

A provision making conditions as to the rate of compensation of certain employees appropriated for on an appropriation bill was held to be legislation. *2-56, Record, pp. 2610, 2611.*

An amendment changing the compensation received by Government employees under the law was held not in order on the Post-Office appropriation bill. *2-56, Record, pp. 1753, 1754.*

An amendment permitting a change in the manner of appointment of clerks provided for in an appropriation bill was held to be a change of law. *1-56, Record, p. 1890.*

Paragraphs in the general deficiency appropriation bill providing for the payment of certain sums to certain employees of the House for services were held to be subject to the point of order, as such expenditure had not been previously authorized by the House. (548) *2-54, Record, pp. 2058, 2061.*

Paragraphs in the general deficiency appropriation bill providing for the payment of certain sums to certain employees of the House for services were held to be subject to the point of order, as such expenditure had not been previously authorized by the House. *2-56, Record, pp. 2788, 2789.*

The recommendation of a committee of the House is not authorization sufficient to justify appropriations for House employees on the deficiency bill. *2-56, Record, pp. 2780, 2781.*

The House having passed a resolution from the Committee on Accounts directing the Committee on Appropriations to provide for paying a certain sum to a certain employee, an amendment to effect this purpose was held to be in order. (545) *1-50, Record, p. 7057; 2-57, Record, pp. 2070, 2072; 3-58, Record, pp. 75, 76; 1-59, Record, p. 9401.*

A resolution by a preceding House authorizing an employee of the House was held to justify an appropriation for the salary. *1-59, Record, p. 4043.*

The House, in appropriating for an employee, may not go beyond the terms of the resolution creating the office. *1-59, Record, p. 4048.*

APPROPRIATION BILLS—Continued.

(*p*) ***Change of existing law—As to officials and employees***—Continued.

An appropriation for mileage of Members at a regular session is authorized by law, although mileage may have been appropriated for a preceding special session. *2-58, Record, pp. 1397-1402, 1407, 1415.*

A proposition to pay clerk hire to Members for every month instead of during the sessions, as provided by law, was held to be subject to the point of order. (560) *1-54, Record, p. 2273.*

To a provision for the payment of clerk hire to Members and Delegates an amendment, providing that under certain circumstances the Member should forfeit the payment, was offered and ruled out of order. *3-55, Record, p. 452.*

A proposition to pay the traveling expenses of the President of the United States by a paragraph in an appropriation bill was held to be unauthorized by law. *1-59, Record, pp. 8198-8205.*

The proposition to pay the employees of the House and Senate an extra month's pay has been held to be subject to the point of order, although the practice has varied in this respect. (558) *2-54, Record, p. 2063.*

(*q*) ***Change of existing law—As to buildings and works.***

A provision that articles imported for the use of the Light-House Establishment should be admitted free of duty was held to be a change of law. (579) *1-52, Record, pp. 4229, 4232.*

Propositions for acquisition of sites and buildings for embassies in foreign countries are not in order in the consular and diplomatic appropriation bill. *1-59, Record, pp. 7637, 7640; 2-59, Record, pp. 1523, 1524.*

A proposition to pave city streets adjacent to a public building was held to be without authority of law. *1-47, Record, pp. 5196-5199; 1-59, Record, pp. 7592, 8645, 8648.*

The limit of cost on a public work may not be made or changed on an appropriation bill. *2-59, Record, pp. 6288, 6295.*

It is not in order on a general appropriation bill, to establish a limit of cost on a public building. *2-59, Record, pp. 2991-2992.*

The mere appropriation of a sum "to complete" a work, does not fix a limit of cost to exclude future appropriations for a public building on a general appropriation bill. *2-59, Record, pp. 2991-2992.*

An amendment which would increase the limit of cost fixed by law for a light-house was ruled out of order. (576) *1-52, Record, pp. 4227, 4228.*

An amendment increasing a fixed limit of cost for a public building is not in order on an appropriation bill. *2-56, Record, pp. 2793, 2794.*

APPROPRIATION BILLS—Continued.

(*q*) ***Change of existing law—As to buildings and works***—Continued.

The purchase of sites and erections of buildings for the Weather Bureau not being authorized by prior legislation, an appropriation therefor is not in order on the Agricultural appropriation bill. *2-59, Record, pp. 1758-1759.*

It is not in order on the Naval appropriation bill to appropriate for a new foundry not previously authorized by law at a navy-yard. *2-59, Record, pp. 291-2991.*

An appropriation for the construction from Government surveys of maps of a foreign coast was held not to be in order on an appropriation bill. *3-55, Record, pp. 487, 488.*

A paragraph constituting a commission to make plans for the reconstruction of buildings at a public institution, and suspending a law authorizing a partial construction, was held to be a change of law. *3-55, Record, pp. 2010, 2011-2016, 2067.*

An amendment proposing to establish a preference for home materials and products in the awarding of Government contracts was held to be subject to the point of order. (574) *2-52, Record, p. 1020.*

An appropriation for the improvement of the Yosemite National Park being prohibited by law was held to be out of order. (573) *2-52, Record, pp. 4726, 4727.*

A Government exhibit at the Columbian Exposition being specifically provided for, an appropriation for an object not mentioned in the act was held not in order on an appropriation bill. (572) *1-52, Record, pp. 4669-4671, 4675, 4684.*

To a proposition authorizing the President to have vessels constructed by contract an amendment authorizing him to have them constructed in navy-yards was offered and held in order. *2-56, Record, pp. 1414-1428.* See also *1-56, Record, p. 4493; 2-58, Record, pp. 2384, 2385.*

A provision for the appointment of a commission to consider the proposed establishment of a dry dock or naval training station is new legislation. (542) *2-55, Record, p. 3390; 2-58, Record, p. 2329.*

Although the Indian appropriation bill provided sums of money for general irrigation purposes, an appropriation for a specific work of use to others as well as to Indians was held not in order. *1-57, Record, pp. 1997-2000.*

A proposition to appropriate for furnishing a Territorial capitol was held to be out of order on an appropriation bill. *2-56, Record, p. 2377.*

A provision for establishing a plant for the manufacture of powder was held not in order on an appropriation bill. *1-59, Record, p. 3235.*

APPROPRIATION BILLS—Continued.

(*q*) ***Change of existing law—As to buildings and works***—Continued.

A provision on an appropriation bill appropriating the receipts of a Government telegraph system to extensions of the same was held out of order. *1-59, Record, p. 3080.*

(*r*) ***Change of existing law—As to bureaus and services.***

Propositions to transfer bureaus or services from one Department of the Government to another have been held to be changes of law, but have been sometimes held in order under the exceptions formerly a part of the rule. (538–541) *1-52, Record, p. 5167; 2-52, Record, pp. 1429, 1690, 1691; 2-53, Record, pp. 2997, 3002; 2-54, Record, p. 218.*

The creation of an investigating committee to examine a Department of the Government was held not to be in order on an appropriation bill. *2-58, Record, pp. 3633, 3638.*

A proposition to transfer the control of Indian affairs from the Interior to the War Department was held to be a change of law and not within the exceptions allowed by the rule at that time. (537) *1-44, Record, p. 2822.*

An amendment proposing a reorganization of the Agricultural Department was ruled out of order on the agricultural appropriation bill. *2-56, Record, p. 1707.*

An amendment proposing a change in the organization of the Navy Department was ruled out of order on the naval appropriation bill. *2-56, Record, pp. 1362–1363.*

An amendment doing away with contract schools for Indians and establishing Government schools was held to be a change of law. (1040) *2-53, Journal, p. 436, Record, pp. 6433, 6434.*

Propositions to create "necessary and special facilities" for transporting the mails on railroads are subject to the point of order that they involve change of existing law. (565–566) *2-46, Record, pp. 3023, 3024; 2-54, Record, pp. 1782, 1783; 3-58, Record, pp. 1793–1795.* See, however, (500, 501) *2-52, Record, pp. 1807, 1813; 1-54, Record, p. 2664.*

An amendment authorizing the purchase of a special device for transporting the mails was held not to be in order on the Post-Office appropriation bill. *1-57, Record, pp. 2796, 2797.*

Because of the requirements of law, appropriations for investigations of subjects connected with agriculture are generally in order on the agricultural appropriation bill. *1-57, Record, pp. 4847, 4848.*

APPROPRIATION BILLS—Continued.

(*r*) ***Change of existing law—As to bureaus and services***—Continued.

While the statute authorizing the Secretary of Agriculture to make investigation of subjects relating to agriculture is held to justify a broad line of appropriation, yet it does not justify appropriations for general investigations. *2-59, Record, pp. 1964, 1965.*

While an appropriation for an investigation on a subject relating to agriculture is in order on the agricultural appropriation bill, it is not in order to appropriate for the organization of a bureau to make such investigation. *2-59, Record, pp. 1976, 1977.*

While an appropriation to enable the Secretary of Agriculture to make certain investigations is authorized on the agricultural appropriation bill, it is not in order to require cooperation of State experiment stations therein. *2-59, Record, pp. 1980, 1981.*

A provision for compiling the records of tests of dairy cows at the Columbian Exposition was held to be legislation and subject to the point of order, although the law gives the Secretary of Agriculture certain general authority to acquire and diffuse information. (561) *1-54, Record, pp. 1896-1899.*

The Committee of the Whole, overruling its Chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the agricultural appropriation bill. *2-59, Record, pp. 1898, 1899.*

A proposition to investigate coal, etc., the property of the United States, and this only, was held to be authorized by the law creating the Geological Survey. *1-59, Record, pp. 8487, 8496, 8500; 2-59, Record, pp. 3785, 3786.*

A proposition to continue the gauging of streams was held not to be authorized by the legislation creating the Geological Survey. *1-59, Record, pp. 8415, 8423, 8487, 8488.*

The investigation of foods in their relation to commerce and consumption was held not authorized by law in such a way as to permit appropriation on the agricultural appropriation bill. *1-59, Record, pp. 6227, 6230, 6274, 6277.*

A provision for the cleaning and reissue of minor coins in the Treasury was held in order because authorized by law, but the recoinage of uncurrent minor coins was ruled out, no law authorizing it. (571) *1-52, Record, pp. 4294, 4384, 4385.*

To a bill appropriating for the payment of invalid and other pensions an amendment providing for preference to soldiers in the civil service was held to be a change of law. (1039) *2-52, Journal, p. 96, Record, p. 1754.*

APPROPRIATION BILLS—Continued.

(*r*) ***Change of existing law—As to bureaus and services***—Continued.

The Secretary of the Navy being authorized by law to name the battle ships, a proposition to enact that a certain ship should be given a certain name was held to be a change of law. (544) *2-55, Record, p. 3474.*

An appropriation for relief of the native inhabitants of Alaska was held to be unauthorized by law. *2-56, Record, pp. 2551-2605.*

The policy of making no more appropriations for sectarian schools having been declared by law, an amendment authorizing appropriations for contract schools was held to involve a change of law. *1-56, Record, pp. 1463, 1472.*

(*s*) ***Change of existing law—As to District of Columbia bill.***

An appropriation of the surplus of the water fund of the District of Columbia for extension and improvement of the water system was held not to be subject to the point of order. (568) *2-55, Record, pp. 1352-1354.*

A proposition that payments for interest and sinking fund on the funded debt of the District of Columbia should be paid out of the revenues of the District was held to be a change of law. (563) *1-54, Record, p. 1310.*

A paragraph providing for a new department in the District government was held to involve legislation. *1-56, Record, pp. 2947, 2948.*

(*t*) ***Claims and deficiencies.***

A general appropriation bill provides only for the next fiscal year, and expenditures in preceding years, whether for claims or other objects, if in order on any general appropriation bill, belong to the bills within the jurisdiction of the Committee on Appropriations. (586-593) *1-51, Record, pp. 6201, 6228, 6233; 2-54, Record, pp. 1258, 1263.*

An appropriation made "immediately available" is a deficiency appropriation not in order on the army appropriation bill. *2-58, Record, pp. 1081, 1082.*

Deficiency appropriations are in order in any general appropriation bill within the jurisdiction of the Committee on Appropriations. *2-56, Record, p. 2419.*

Deficiencies are not in order on appropriation bills reported by committees other than the Committee on Appropriations. *2-57, Record, pp. 804, 805.*

As to the jurisdiction of the deficiency appropriation bill. *1-57, Record, p. 7025.*

Provisions for the payment of claims against the Government are admitted in the general deficiency appropriation bill under certain circumstances. (594-598) *2-54, Record, p. 2065; 1-51, Record, pp. 8177, 8301, 8304.*

APPROPRIATION BILLS—Continued.

(*t*) ***Claims and deficiencies***—Continued.

It is in order in the deficiency bill to appropriate for the payment of judgments of the courts certified to Congress in accordance with the law. *2-56, Record, pp. 2791, 2792.*

It is in order to provide, on an appropriation bill as a deficiency, for the payment of an account audited under authority of law, but it is not in order to provide for such auditing. *1-57, Record, pp. 7028-7030, 7035-7037; 2-58, Record, pp. 1386, 1387; 1-59, Record, pp. 1383, 1384.*

A claim having been adjudicated under authority of a treaty, an appropriation for its payment was admitted on the deficiency bill. *1-59, Record, pp. 9297-9299.*

The fact that a Department officer has reported on a claim in accordance with a direction of law does not thereby make an audited claim for which provision may be made in an appropriation bill. *2-58, Record, pp. 4944-5037; 1-59, Record, pp. 9305, 9397.*

The Comptroller having ascertained the amount of a claim, on appeal, an appropriation bill may not carry a larger amount found by the auditor, who has been overruled. *2-58, Record, pp. 5025-5030.*

Propositions to pay private claims against the Government (except judgments of the Court of Claims in the deficiency bill) are not in order in general appropriation bills. (581-585) *1-31, Globe, pp. 1617, 1667; 2-32, Globe, p. 736; 1-33, Globe, pp. 385, 1483; 1-52, Record, p. 4668; 2-54, Record, p. 1445; 2-56, Record, p. 479; 1-57, Record, pp. 3574, 3575.*

It is in order, on a deficiency appropriation bill, to appropriate in payment of a contract lawfully made. *1-59, Record, p. 9300.*

A proposition to pay a claim reported on favorably by a board of officers is not in order on the deficiency bill unless the expenditure for the object has been authorized by law. *3-58, Record, pp. 3794-3796.*

It is not in order to appropriate on the deficiency bill for an unadjudicated claim, even though it be transmitted to the House by an Executive message. *2-56, Record, p. 2709.*

The payment of an unadjudicated claim, even though the amount be ascertained and transmitted by the head of an Executive Department, is not in order on the deficiency bill. *2-56, Record, pp. 2713-2716.*

Appropriations for the completion of public buildings have been held not in order as amendments to the general deficiency appropriation bill. (599-600) *1-51, Record, p. 8121; 2-46, Record, p. 1650.*

APPROVAL.

The provisions of the Constitution relating to the approval and disapproval of bills and resolutions by the President. (452, 453, 1466) *Constitution, Article I, section 7, p. 7; 2-54, Senate Report No. 1335.*

On the last legislative day of a session the Journal is sometimes read and approved as far as written. *2-56, Record, p. 3564.*

ARCHITECT.

See "Superintendent of the Capitol Building and Grounds."

ARID LANDS, IRRIGATION OF.

Subjects relating to, belong to the jurisdiction of the Committee on Irrigation of Arid Lands. (647) *Rule XI, section 39.*

ARMORIES.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220; 2-59, Record, p. 907.*

ARMS.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220.*

ARMY.

Decisions concerning Members and Members-elect who have occupied or been about to occupy military offices under the Government. (12) *1-38, H. of R. Report 110, Globe, p. 3389; 3-55, H. of R. Report No. 2205, Record, p. 2751.*

ARREST.

(*a*) *During call of the House.*

(*b*) *General provisions.*

(*a*) ***During call of the House.***

The rule whereby a quorum is obtained and the vote taken on the pending question at the same time. (287) *Rule XV, section 4.*

The old rule for the call of the House and the arrest of Members. (297) *Rule XV, section 2.*

Form of motion for the arrest of absent Members: (330, footnote.)

"*Ordered*, That the Sergeant-at-Arms take into custody and bring to the bar of the House such of its Members as are absent without leave."

A Member who appears and answers during a call is not subject to arrest. (331) *2-52, Journal, p. 180, Record, pp. 2300, 2325.*

ARREST—Continued.

(*a*) ***During call of the House***—Continued.

Members under arrest have not been deprived of their right to vote. (1127) *2-53, Journal, 71, 72, Record, pp. 530, 531.*

Members present in custody of the Sergeant-at-Arms have been allowed to vote on a motion to excuse another Member. (329) *1-52, Journal, pp. 167, 168, Record, pp. 3762, 3768, 3770.*

Proceedings under a call may be dispensed with although Members under arrest have not had the opportunity to make their excuses. (341) *1-52, Journal, p. 167, Record, p. 3770.*

A motion to dispense with proceedings under the call, having been once entertained, was ruled out of order pending a motion for the arrest of absent Members. (299) *1-44, Journal, p. 1492, Record, pp. 5647, 5649.*

A motion to dispense with proceedings under a call is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. (326) *2-53, Journal, pp. 177, 194, Record, pp. 2297, 2300, 2388.*

The Sergeant-at-Arms may be directed to take into custody such Members as have absented themselves since the first call of the roll. (330) *2-52, Journal, p. 106, Record, p. 1969.*

Continuing orders of arrest have been made, sometimes by less than a quorum. (322-327) *1-30, Journal, pp. 1034, 1035, Globe, p. 926; 2-53, Journal, pp. 177, 194.*

Proceedings of arrest of Members and arraignment at the bar under section 4 of Rule XV for securing attendance of a quorum. *1-59, Record, p. 7585.*

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. *1-59, Record, pp. 7625, 7626.*

(*b*) ***General provisions.***

The Constitution defines the privileges of Members in regard to arrest. (91) *Constitution, Article I, section 6, p. 6.*

A Member having been arrested and detained on civil process, the House liberated him and restored him to his seat by the hands of its own officer. (153) *2-39, Journal, pp. 103, 105, Globe, pp. 51, 225.*

The House having arrested and punished John Anderson for an attempt to bribe a Member, the Supreme Court affirmed the right of the House so to do. (160) *1-15, Journal, pp. 117, 119, 129, 154, Annals, pp. 580, 614, 622, 626, 631, 639, 743, 790, 6 Wheaton, 204.*

A question of privilege and order of arrest may be based on a communication received by telegraph. (177) *2-44, Journal, p. 133, Record, p. 353.*

ARREST—Continued.

(*b*) ***General provisions***—Continued.

In dealing with a prisoner at the bar the House may not go beyond the terms of the order of arrest. (122) *2-41, Journal, pp. 957, 961, 962, 1068, Record, pp. 4315, 4318, 4320, 4692.*

Alleged libelous statements of a reporter being made a subject of privilege, the reporter was at once arrested, brought to the bar of the House, and interrogated. (122) *2-41, Journal, pp. 957, 961, 1068, Record, pp. 4315, 4318, 4320, 4692.*

Arrest of Joseph L. Chester as a contumacious witness. (171) *3-34, Journal, p. 241, Globe, p. 356.*

Case of Wolcott, a contumacious witness. (172) *1-35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

ARSENALS.

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220; 2-59, Record, p. 907.*

ART, WORKS OF.

The Superintendent of the Capitol Building and Grounds enforces the law relating to exhibition of works of art in the Capitol. (1765) *18 Stat. L., p. 376; 20 Stat. L., p. 391.*

ASSAULTS.

See "Privilege."

BALLOT.

The rule for voting by ballot. (1125) *Rule XL.*

The Speaker is not required to vote except when his vote would be decisive and when the House is voting by ballot. (49) *Rule I, section 6.*

On a vote by ballot, if a majority be not obtained on the first ballot the voting continues until the majority is obtained. (1125) *Rule XL.*

In voting by ballot blanks are rejected, not being taken into the count or reported by the tellers. (1125) *Rule XL.*

Rules for the election of a President by the House by ballot. (1768) *2-18, Journal, pp. 213, 215, 220, 222.*

The managers of impeachments, except in the later cases, have been elected by ballot. (1696-1702) *2-5, Journal, p. 153, Annals, Vol. I, p. 952; 1-8, Annals, p. 796; 2-8, Journal, pp. 44, 45; 1-21, Journal, p. 591; 2-37, Journal, pp. 712, 717; 2-40, Journal, p. 450; 1-44, Record, p. 2161.*

BANKING.

Subjects relating to, are under the jurisdiction of the Committee on Banking and Currency. (614) *Rule XI, section 5.*

BANKING AND CURRENCY, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (614) *Rule XI, section 5.*

BARGAINS.

The Clerk makes or approves all contracts, bargains, or agreements relative to supplies or labor for the House. (1712) *Rule III, section 3.*

BARRACKS.

Appropriations for barracks and quarters for troops of the Coast Artillery are within the jurisdiction of the Committee on Appropriations, and not of the Committee on Military Affairs. *2-59, Record, pp. 854, 900.*

BILLS.

(*a*) *Definition, forms, etc.*
(*b*) *Introduction, reference, and committal.*
(*c*) *Printing.*
(*d*) *Power of committee over.*
(*e*) *Reading of.*
(*f*) *Changes or alterations of.*
(*g*) *Consideration and voting.*
(*h*) *Recall of.*
(*i*) *Relating to appropriations.* See "Appropriation bills."
(*j*) *Relating to the revenue.* See "Revenue bills."
(*k*) *Amendment of.* See "Amendment."
(*l*) *Approval of.* See "President of the United States."
(*m*) *In Committee of the Whole.* See "Committee of the Whole."
(*n*) *Engrossment of.* See "Engrossment."
(*o*) *Enrollment of.* See "Enrollment."
(*p*) *Preamble.* See "Preamble."
(*q*) *Private.* See "Private bills."
(*r*) *Title of.* See "Title."
(*s*) *Vetoed.* See "Veto."
(*t*) *Withdrawal of.* See "Withdrawal."

(*a*) ***Definition, forms, etc.***

The term "bill," as used in Rule XVII, is a generic term and includes all legislative propositions which can come before the House. (458, 1006) *1-48, Journal, p. 1296, Record, p. 4403.*

BILLS—Continued.

(*a*) ***Definition, forms, etc.***—Continued.

Provisions of the statutes relating to bills and resolutions. (455) *Revised Statutes, sections 7–11; 28 Stat. L., p. 609.*

Enacting and resolving words must be confined to the first section of bills and resolutions. (455) *Revised Statutes, section 9.*

Each section of a bill shall be numbered and shall contain as nearly as may be a single proposition of enactment. (455) *Revised Statutes, section 10.*

The printing of an argument with the text of a bill was held to involve a question of privilege, and the House ordered the objectionable portions stricken out. *1–56, Record, pp. 788, 789, Journal, p. 152.*

A joint resolution is a bill within the meaning of the rules. (459) *3–27, Globe, p. 384.*

When a bill, resolution, or memorial is introduced "by request," the words are entered on the Journal and Record. (451) *Rule XXII, section 4.*

The bills are delivered to the committees by the distributing clerk. (601) *Jefferson's Manual, Section XXVI, p. 165.*

(*b*) ***Introduction, reference, and committal.***

Rules for the introduction of public and private bills. *Rule XXII, sections 1, 2, and 3.*

A bill introduced in a Member's name in his absence was ordered by the House to be removed from the files. *1–59, Record, pp. 2149–2150.*

The fraudulent introduction of a bill was held to involve a question of privilege. *1–59, Record, pp. 2149, 2150, 3067.*

Public bills, memorials, and resolutions are referred by the Speaker. (450) *Rule XXII, section 3.*

Changes of reference of public bills are made without debate or amendment. (447) *Rule XXII, section 3; 2–53, Journal, p. 202.*

The correction of the reference of a public bill presents a question of privilege. (125) *2–46, Journal, pp. 842–877, Record, pp. 1804, 1817, 1844, 1846.*

The rule governing the change of reference of private bills. (449) *Rule XXII, section 2.*

The erroneous reference of a private bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration, either in the House or in Committee of the Whole. (675–681) *1–53, Journal, pp. 118, 138; 2–53, Journal, p. 492; 3–53, Journal, pp. 15, 70, 71; 2–55, Record, pp. 2483, 2496; 3–58, Record, pp. 379, 393.* But this is not so in the case of a public bill. (669) *1–51, Record, pp. 2041, 2046; 2–56, Journal, p. 186, Record, pp. 1849, 1850; 1–59, Record, pp. 1721, 1722.*

BILLS—Continued.

(*b*) ***Introduction, reference, and committal***—Continued.

When the House itself refers a private House bill to a committee, the point of order as to jurisdiction does not avail. *3-58, Record, pp. 2417, 2418.*

The House having changed the reference of a private Senate bill from one committee to another, a point of order as to the jurisdiction of the latter committee made after the bill was reported, was overruled. *2-59, Record, p. 1849.*

When a bill embraces subjects belonging to the jurisdiction of several committees, the main object of the bill may be taken as the test to show to which committee it should go. (678) *2-55, Record, p. 2483.*

It is in order for the House to refer a bill to any committee, though such committee under Rule XI may not have original jurisdiction of it. (1023) *1-48, Journal, p. 703; 1-56, Record, p. 4823; 2-57, Record, p. 928.*

A petition properly referred to a committee gives jurisdiction for reporting a bill. (666) *1-32, Journal, p. 935.*

It has generally, though not always, been held that a committee may not report a bill whereof the subject-matter has not been referred to them by the House. (661-665) *1-31, Journal, p. 590; 1-45, Journal, p. 159, Record, p. 256; 1-48, Journal, p. 1108; 1-51, Journal, p. 967, Record, p. 8772; 1-53 Journal, pp. 96-98.*

Bills for the payment or adjudication of private claims against the Government may go only to certain specified committees. (660) *Rule XXI, section 3.*

Reference of a public bill or resolution to a committee of the House confers jurisdiction of it upon that committee. (670) *1-51, Journal, p. 87, Record, p. 376.*

The erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it. (667, 668) *1-53, Journal, p. 147; 2-54, Record, pp. 725, 726; 1-56, Record, p. 832.*

A motion to correct an error in referring a bill to the proper calendar presents a question of privilege. (126) *2-50, Journal, p. 534, Record, pp. 2020, 2021; 1-59, Record, pp. 4521, 4524.*

A committee may not move to suspend the rules and pass a bill which has not been referred to it. (1597) *1-51, Record, p. 8772.*

No bill referred to a committee may be brought back into the House on a motion to reconsider. (1191, 1195) *Rule XVIII, section 2; 2-56, Record, pp. 1262, 1266.*

BILLS—Continued.

(*b*) ***Introduction, reference, and committal***—Continued.

A particular clause of a bill may be committed without the whole bill, or so much of a paper to one and so much to another committee. (995) *Jefferson's Manual, Section XXVIII, p. 170.*

A bill recommitted with instructions under section 1 of Rule XVII, and reported back, must again be passed to be engrossed and read a third time; and this having been done, may be again the subject of a motion to recommit when the question recurs on the passage. (996) *1-49 Journal, pp. 2168-2170, 6757, 6758.*

Discretion of the Speaker in referring to the committee's bills on the Speaker's table. *2-57, Record, p. 2756.*

(*c*) ***Printing.***

The rule regulating the printing of bills, reports, resolutions, and documents. (1746) *Rule XLV.*

The law gives specific directions as to the numbers of bills to be printed, the ordering of the same, and the publication of documents. (1750) *28 Stat. L., pp. 608-614.*

(*d*) ***Power of committee over.***

Committee on Printing may, under certain circumstances, order reprint of a public bill. (1750) *28 Stat. L., p. 601.*

A committee have full power over a bill, but may not change the title or subject. (601) *Jefferson's Manual, Section XXVI, p. 166.*

Committees may not interline or blot bills, but must set down the amendments separately. (601) *Jefferson's Manual, Section XXVI, p. 168.*

The rule establishing certain privileged bills which may be reported from committees at any time. (398) *Rule XI, section 59.*

A bill grouping together several distinct objects or works is sometimes reported instead of a series of individual bills. *1-57, Record, pp. 4820-4841, Journal, p. 659.*

(*e*) ***Reading of.***

The rule for the reading, engrossment, and passage of bills. (467) *Rule XXI, section 1.*

A bill which has been read in full and considered in Committee of the Whole does not require to be read in full again when taken up for action in the House. *3-55, Record, pp. 1614, 1634, 2581.*

A bill presumed to have been read in Committee of the Whole and reported favorably therefrom is not read in full again when acted on by the House. *1-57, Record, pp. 4840, 4841, Journal, p. 659.*

It is the right of a Member to demand at the proper time the reading in full of the engrossed copy of a bill. *2-58, Record, p. 5152.*

BILLS—Continued.

(*e*) ***Reading of***—Continued.

There is no rule requiring that the text of a bill which has been read in the House shall be printed in either the Journal or the Record. (1683, 1684, 1685) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125; 1-54, Record, p. 47; 2-57, Record, pp. 1785, 1786.*

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. *3-58, Record, pp. 2406, 2486, 2487.*

(*f*) ***Changes or alterations of.***

A new bill may be ingrafted by way of amendment or the words "Be it enacted," etc. (1046) *Jefferson's Manual, Section XXXV, p. 187.*

A motion to recommit a bill with instructions to bring the same subject-matter back in the form of a joint resolution is in order. (1012) *1-49, Journal, pp. 378, 379, Record, pp. 694, 695.*

It was decided, by reason of conditions arising from former rule No. 114, that a resolution of the House could not be amended so as to convert it into a joint resolution. (456) *1-32, Journal, p. 679, Globe, p. 1275.*

It is not in order, by way of amendment, either directly or indirectly, to convert a public bill into a private bill. (1033, 1034) *1-48, Journal, p. 761; 2-53, Journal, pp. 350, 351, Record, p. 4011.*

A bill for the enactment of a general provision of law is not germane to a bill for the relief of a private individual. (1074, 1430) *1-31, Journal, p. 784, Globe, p. 714; 1-52, Journal, pp. 311-312, Record, p. 6474.*

A private bill may not be converted into a public bill by way of recommitment. (460) *1-49, Journal, p. 571, Record, p. 1188.*

To a private bill for the relief of one individual it is not in order to add an amendment for the relief of another individual. (1032, 1075) *1-49, Journal, pp. 702, 703, Record, pp. 1619, 1620; 2-32, Journal, p. 414.*

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly, through a motion to recommit with instructions. (457) *1-49, Journal, pp. 702, 703.*

To a private bill for the benefit of one institution an amendment for the benefit of another institution was offered and held not to be in order. (1080) *1-54, Record, p. 4096.*

No change, however unimportant, should be made by an officer of the House in a bill that has received the sanction of the House. (131, footnote) *1-33, Globe, p. 2094.*

BILLS—Continued.

(*f*) ***Changes or alterations of***—Continued.

The alleged improper alteration of a bill presents a question of privilege. (131) *1-33, Journal, p. 1194.*

One House may not send to the other an amendment of its own bill after it is passed. *Jefferson's Manual, Section XLV, p. 206.*

(*g*) ***Consideration and voting.***

On the votes on the engrossment and third reading and on the passage a division so as to vote separately on various propositions of the bill may not be demanded. (1137) *1-53, Journal, pp. 21, 22.*

The Clerk certifies the passage of all bills and joint resolutions. (1712) *Rule III, section 3.*

The rejection of a bill is notified by message to the House in which it originated. (1463) *Jefferson's Manual, Section XLVII, p. 211.*

The withdrawal of an objection to the consideration of a bill does not bring it again before the House if other business has been taken up. (445) *2-55, Record, pp. 5159, 5161.*

Bills considered in the morning hour must be called up by authorization of the committees; but the Speaker can not, in case of dispute, decide as to the validity of such authorization. (705) *2-49, Record, p. 43.*

A bill having been brought before the House on motion of a committee, and consideration having begun, the validity of the authorization by this committee may not then be questioned. (706) *2-51, Journal, p. 55, Record, pp. 487, 488; 1-59, Record, pp. 7246, 7247.*

The Speaker may not rule a bill out of order for the reason that the subject has been acted on in another way in another bill, the question being one for the House to determine. (462) *2-54, Journal, p. 155, Record, p. 1663.*

The report of a committee is in the nature of an argument or explanation, and does not by itself come before the House for amendment or other action. *1-56, Record, pp. 5328, 5329, Journal, p. 555.*

A bill or resolution must be considered and voted on by itself. *1-56, Record, p. 5286.*

The House may not consider a Senate bill unless in possession of the engrossed copy, but may at once direct that the Clerk request a duplicate engrossed copy of the bill. *2-59, Record, pp. 4257-4260.*

Where the two Houses pass similar but distinct bills on the same subject, it is necessary that one or the other House act again on the subject. *1-59, Record, p. 5392—Bills S. 4250 and H. R. 14316.*

A conference report may not be considered when the original bill and amendments are not before the House. *1-57, Record, p. 7433; 1-59, Record, p. 8486.*

BILLS—Continued.

(*g*) ***Consideration and voting***—Continued.

Anything in a bill agreed to by both Houses may not be stricken out at a conference. (1321) *Jefferson's Manual, Section XLV, p. 206.*

A petition or bill excluded under section 1 of Rule XXII is to be returned to the Member presenting it. (449) *Rule XXII, section 2.*

(*h*) ***Recall of.***

One House sometimes asks of the other the return of a message. *1-57, Journal, p. 872, Record, pp. 7595, 7600; 1-59, Record, pp. 9475, 9546.*

Requests of the Senate for the return of a bill are treated as privileged in the House. (483, 484) *1-54, Record, pp. 5126, 6110.*

A request of the Senate for the return of a bill, no error being alleged, does not make in order a motion in the House to discharge the committee having possession of the bill. *1-59, Record, pp. 5768, 5769, 5816-5817.*

A Senate bill having been lost in the House, a resolution requesting a duplicate copy from the Senate was presented as privileged. (482) *1-54, Record, p. 2236.*

A bill having been sent from the House to the Senate by error, a resolution to recall it was decided to be privileged. (481) *3-53, Record, p. 2093.*

The Senate having requested the return of a bill which had been enrolled, signed by the Speaker, and transmitted to the Senate, a resolution was passed directing that the Senate be informed thereof. *1-56, Record, p. 5827.*

Process of recalling a bill from the Senate in order to correct an error in the number. *1-59, Record, pp. 3006, 3359.*

Instance of reconsideration of a bill which had passed both Houses. *2-58, Record, pp. 2711, 2736, 5221, 5286, 5303.*

The process of recalling from the President and amending an enrolled bill. *2-56, Journal, pp. 85, 178, 194, Record, pp. 553, 1762, 1971; 2-58, Journal, p. 386, Record, pp. 2740, 2839, 3509; 1-59, Record, pp. 2475, 2506, 2553, 2889, 2900, 3050, 3102.*

Bills that have been sent to the President are sometimes recalled by the House. (479, 480) *1-51, Journal, p. 828; 1-54, Record, p. 1703; 2-56, Journal, pp. 85, 178, 194, Record, pp. 553, 1762, 1791.*

A decision that a bill recalled from the President might not be amended by the two Houses. *1-57, Record, pp. 2845, 2876, 2926, 3754, 4141.*

BLANKS.

Blanks left in a bill by one House may be filled by amendments made by the other. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

In voting by ballot blanks are rejected, not being taken into the count or reported by the tellers. (1125) *Rule XL.*

BONDED DEBT.

Subjects relating to, are in the jurisdiction of the Committee on Ways and Means. (611) *Rule XI, section 2.*

BOOKS.

The Doorkeeper's inventory of furniture, books, etc., is reported to the House at the beginning and close of each session, and referred to the Committee on Accounts for examination, etc. (1719) *Rule V, section 2.*

Conditions relating to payment for, by Members. (11) *Revised Statutes, section 42.*

BOWMAN ACT.

Provisions of the Bowman and Tucker acts. (1437) *22 Stat. L., p. 485; 24 Stat. L., p. 505.*

BOXES.

The Clerk is required to make contracts with the lowest bidder for packing boxes for use of the House. *31 Stat. L., p. 967.*

BRIBERY.

Penalties are provided for attempts to bribe Members, and a Member may not be interested in a public contract. (29) *Revised Statutes, sections 1781, 1782, 3739–3742, 5440, 5500.*

An attempt having been made in 1795 to bribe its Members, the House vindicated its privileges by immediate arrest, trial, and imprisonment of the offender. (155) *1–4, Journal, pp. 389, 407.*

The House having arrested and punished John Anderson for an attempt to bribe a Member, the Supreme Court affirmed the right of the House so to do. (160) *1–15, Journal, pp. 117, 119, 129, 154, Annals, pp. 580, 614, 622, 626, 631, 639, 743, 790; 6 Wheaton, 204.*

Member may not be tried or punished for an offense alleged to have been committed before his election. (31) *1–44, House report No. 815.*

A resolution to investigate the failure of the Post-Office Department to remove a postmaster who had attempted to influence a Member corruptly was decided not to present a question of privilege. (200) *1–53, Journal, p. 109.*

BUSINESS.

(*a*) *General principles.*
(*b*) *Order of.* See "Order of business."
(*c*) *Unfinished.* See "Unfinished business."

(*a*) *General principles.*

The reception of a message from the President or the Senate is not the transaction of business. (1452) *1–49, Record, p. 7243.*

BUSINESS—Continued.

(*a*) ***General principles***—Continued.

The presence of a quorum is necessary for the House to do business (former decisions overruled). (266–268) *2–55, Record, p. 6557; 2–51, Journal, p. 162, Record, p. 1630; 2–53, Journal, pp. 326, 327, Jefferson's Manual, pp. 142, 159; 2–57, Record, p. 2589.*

The absence of a quorum having been disclosed, there must be a quorum of record before the House may proceed to business. (256) *2–30, Globe, p. 624.*

The absence of a quorum having been disclosed, the only proceedings in order are the motions to adjourn or for a call of the House; and not even by unanimous consent may business be acted upon. (258) *2–42, Globe, p. 3855.*

BUSINESS ON THE SPEAKER'S TABLE.

See "Order of Business."

BUILDINGS, PUBLIC.

Legislation relating to, is under the jurisdiction of the Committee on Public Buildings and Grounds. (630) *Rule XI, section 22.*

CABINET.

The Speaker assigns gallery accommodations to the members of the Cabinet. (1741) *Rule XXXV.*

CALENDARS.

(*a*) *General provisions.*

(*b*) *Of Committee of the Whole.*

(*a*) ***General provisions.***

The rule establishing the calendars for the reports of committees. (345) *Rule XIII, section 1.*

The rule regulating the making of nonprivileged reports from committees. (346) *Rule XIII, section 2.*

A motion to correct an error in referring a bill to the proper calendar presents a question of privilege. (126) *2–50, Journal, p. 534, Record, pp. 2020, 2021; 1–59, Record, pp. 4521, 4524.*

A bill improperly reported from a committee is not entitled to its place on the calendar. *3–55, Record, pp. 705, 851.*

Under the present practice of the House, reports from the Court of Claims under the Bowman Act do not remain on the Private Calendar from Congress to Congress. (1433–1436) *1–50, Record, pp. 110, 779, 7436, 7437; 1–51, Record, pp. 2159, 2239.*

(*b*) ***Of Committee of the Whole.***

The rule prescribing the order for considering business on the calendars of the Committee of the Whole. (396) *Rule XXIII, section 4.*

CALENDARS—Continued.

(*b*) ***Of Committee of the Whole***—Continued.

The Committees of the Whole determine the order of taking up business on their calendars. (397) *1-54, Record, p. 3283; 2-58, Record, p. 1542.*

In considering bills on the Calendar of the Committee of the Whole House it is in order, upon a motion made and carried, to take up a bill out of its order. (740) *1-54, Record, p. 5589.*

It is for the Committee of the Whole, and not for the House, to determine in what order bills upon the committee's calendar shall be taken up. (737) *2-54, Record, p. 1079.*

When the House disagrees to the recommendation of the Committee of the Whole that the enacting clause of a bill be stricken out, the bill goes to the first place on the Calendar of the Committee of the Whole House or to its original place if it is a bill on the Union Calendar. (942) *1-51, Record, pp. 2237, 2238; 1-56, Record, p. 6250.*

The motion to report a bill with a favorable recommendation being decided in the negative in the Committee of the Whole, the bill remains in its place on the calendar. *1-56, Record, p. 3539; 2-56, Record, p. 1479; 1-59, Record, p. 3302.*

CALENDAR DAY.

A session of the House extending, by failure to adjourn, through the next calendar day, a special order for the latter day falls, as the session is of the legislative and not the calendar day. (1271) *1-50, Journal, pp. 1491, 1505, 1506, Record, pp. 2749, 2755.*

CALL OF COMMITTEES.

The rule of the morning hour for the consideration of bills called up by committees. (375) *Rule XXIV, section 4.*

The Speaker may, upon statements from the chairman and other members of a committee, rule that the calling up of a bill has been authorized by a committee. *3-55, Record, pp. 221, 222, Journal, p. 34.*

A bill must be actually on the House Calendar, and properly there also, in order to be considered in the morning hour. (378-380) *2-54, Record, pp. 83, 903, 1686; 2-59, Record, p. 172.*

The morning hour does not expire in sixty minutes unless on motion made and carried. (383) *1-54, Record, p. 3156.*

The motion to go into Committee of the Whole House on the state of the Union may be made after sixty minutes of morning hour, or sooner if that order fails. *2-58, Record, pp. 877, 878.*

CALL OF COMMITTEES—Continued.

It is not in order, before the expiration of sixty minutes of the call of committees, to move to go into Committee of the Whole House on the state of the Union to consider a bill that is not privileged. *2-59, Record, p. 555.*

An instance wherein the House, by recess, remained for two calendar days at the stage of business wherein the motion under Rule XXIV, section 5, was in order. *2-58, Record, pp. 877, 900, 924, 940.*

At the end of sixty minutes the morning hour may be interrupted by a privileged report. (382) *1-51, Journal, p. 969, Record, p. 8819.*

A bill once brought up in the morning hour is considered until disposed of, although its consideration may extend over more than two days. (384) *2-55, Record, pp. 6593, 6594.*

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. *1-56, Record, p. 2454.*

The period of the morning hour is deferred by the intervention of privileged questions, but is in order when such are disposed of. (376) *2-48, Journal, p. 476, Record, p. 1295.*

A bill presented by a committee under the call of committees may be withdrawn by authority of the committee. (463) *2-54, Journal, p. 77, Record, pp. 740, 764.*

The House having completed the order of business and not being ready to adjourn, the Speaker directed the call of committees to be resumed. *1-57, Record, pp. 1716, 1719.*

The Speaker has declined to allow the call of committees to be interrupted by a privileged report. *2-57, Record, p. 420.*

The Speaker has declined to allow the call of committees to be interrupted by a request for unanimous consent. *3-58, Record, p. 163.*

CALL OF THE HOUSE.

(*a*) *General provisions of Constitution and practice.*
(*b*) *The old and new rules.*
(*c*) *Rulings as to motions in order during call in the old form.*
(*d*) *Roll call.*
(*e*) *Revoking leaves of absence,*
(*f*) *Excuses.*
(*g*) *Arrest of Members.*
(*h*) *Dispensing with proceedings under the old rule.*
(*i*) *Privilege and privileged questions.*
(*j*) *Suspension of rules, relative to.*

CALL OF THE HOUSE—Continued.

(*a*) ***General provisions of Constitution and practice.***

The Constitution provides that a majority of the House shall constitute a quorum, but a smaller number may adjourn from day to day and be authorized to compel the attendance of absent Members. (238) *Constitution, Article I, section 5, p. 5.*

Less than fifteen Members may not order a call of the House. (310) *1-28, Journal, p. 885.*

A call of the House may not be ordered by a minority of fifteen or more. (311) *2-53, Journal, p. 559, Record, p. 8409.*

A quorum not being present, no motion is in order but for a call of the House or to adjourn. (298) *1-29, Journal, p. 355.*

It is always in order, the failure of a quorum being shown, to proceed to secure the attendance of absent Members. (300) *1-50, Record, pp. 2718, 2719.*

A call of the House is in order before the reading of the Journal. (221) *1-34, Journal, p. 1253, Globe, p. 1710.*

A quorum is not required on a motion relating to a call of the House. (313) *1-51, Journal, p. 991, Record, p. 9183.*

The absence of a quorum having been ascertained and announced, the point of "no quorum" may not be withdrawn. *1-56, Record, p. 1465.*

A call of the House is not in order after the previous question has been ordered, unless it appears upon an actual count by the Speaker that a quorum is not present. (960) *Rule XVII, section 2.*

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. *2-56, Record, p. 3444; 1-57, Journal, p. 815, Record, p. 6886.*

(*b*) ***The old and new rules.***

The old rule for the call of the House and the arrest of Members. (297) *Rule XV, section 2.*

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. (287) *Rule XV, section 4.*

Interpretations of section 4 of Rule XV by the Speaker. (288-296) *1-54, Record, pp. 4915, 6360; 2-54, Record, pp. 152, 1042, 1132, 1658; 2-55, Record, pp. 5304, 6247.*

A quorum having failed to vote on a motion to adjourn, and the motion not being carried, a case is not presented for the use of section 4 of Rule XV. (288) *1-54, Record, p. 4915.*

A call of the House, ordered when no question is pending, is taken in the old form. *2-56, Record, p. 1577.*

CALL OF THE HOUSE—Continued.

(*b*) ***The old and new rules***—Continued.

A motion to adjourn may be made before the call of the roll under section 4 of Rule XV. *3-55, Record, p. 1962.*

Members answering "present" on a call under section 4 of Rule XV may be allowed to vote before the result is announced. (289) *1-54, Record, p. 6330.*

During a call of the House under section 4 of Rule XV motions to excuse Members are in order, and a motion to adjourn must be seconded by a majority. (294) *2-54, Journal, p. 175, Record, p. 1858.*

(*c*) ***Rulings as to motions in order during call in the old form.***

The yeas and nays may be ordered during a call of the House. (340) *1-46, Record, p. 1577.*

It has been decided that during a call of the House the motion to reconsider might be entertained and might be laid on the table, although there was no quorum present. (318) *2-52, Journal, p. 77, Record, p. 1259.*

Less than a quorum being sufficient to dispense with proceedings under a call, the same vote is sufficient on reconsideration, and on a motion to table the motion to reconsider. (319) *2-43, Record, p. 1731.*

A quorum not being present, an appeal has been entertained, and a motion to lay that appeal on the table; but a motion to reconsider was ruled out of order. (299) *1-44, Journal, p. 1492, Record, pp. 5647, 5649.*

An appeal may be taken during a call of the House when less than a quorum is present. (340) *1-46, Record, p. 1577.*

During a call of the House the previous question may be ordered by less than a quorum. (326) *2-53, Journal, pp. 177, 194, Record, pp. 2297, 2300, 2388.*

It has been decided that less than a quorum might order the previous question on a proposition to secure the attendance of absent Members. (320) *2-53, Journal, p. 3301, Record, pp. 3705, 3716.*

A motion to fix the day to which the House shall adjourn is not in order during a call of the House. (326) *2-53, Journal, pp. 177, 194, Record, pp. 2297, 2300, 2388.*

A quorum not being present, a resolution directing the enforcement of section 40, Revised Statutes, is not in order as a measure to compel the attendance of absent Members. (301) *1-51, Journal, p. 1025, Record, p. 9922.*

A motion for a recess is not in order during a call of the House. (302, 303) *1-26, Journal, p. 843, Record, p. 361.*

CALL OF THE HOUSE—Continued.

(*c*) ***Rulings as to motions in order during call in the old form***—Continued.

During a call of the House a resolution construing the rule relating to the call or making a new rule is not in order. (305) *2-48, Journal, p. 675, Record, pp. 2165, 2166.*

A conference report may be presented during a call of the House if a quorum be present. *2-57, Record, p. 2855.*

On a motion for a call of the House a motion to excuse a Member from voting was held not in order, although the rule at that time permitted the motion. (306) *1-31, Journal, p. 1538, Globe, p. 1970.*

(*d*) ***Roll call.***

On a call of the House under section 2 of Rule XV a second call of the roll is not required. (332, 333, 337) *1-51, Journal, pp. 527, 935, Record, pp. 3903, 8371; 1-54, Record, p. 2805.*

During proceedings under a call of the House the House may order the roll call repeated. (328) *2-52, Journal, p. 107, Record, p. 1990.*

A roll call may not be interrupted by a motion to adjourn or that further proceedings under a call be dispensed with. (1170) *1-47, Journal, pp. 597, 641, Record, pp. 1238, 1245, 1366.*

There is no rule or practice requiring a recapitulation of the names of those who appear on a call of the House after their names have been called. (248) *1-51, Journal, p. 991, Record, p. 9184.*

(*e*) ***Revoking leaves of absence.***

A motion to revoke leaves of absence, being a proceeding to compel the attendance of absent Members, does not require a quorum. (312, 314) *1-48, Journal, p. 621; 1-51, Journal, p. 1031, Record, p. 9949.*

A resolution revoking leaves of absence and directing the Sergeant-at-Arms to telegraph for absent Members is in order pending a call of the House, although a quorum may have been disclosed. (315) *2-53, Journal, pp. 256-258, Record, p. 3156.*

(*f*) ***Excuses.***

During a call of the House less than a quorum may excuse a Member from attendance. (316, 317) *2-52, Journal, p. 77, Record, p. 1259; 2-54, Record, p. 606.* But may not grant leave of absence. *2-53, Journal, pp. 326, 327.*

While the absentees are being called for excuses a motion to excuse a Member from attendance and an appeal may not be debated. (334) *1-52, Journal, p. 342, Record, p. 6904.*

During the call of the House motions to excuse Members may be made during the call of the roll for the presentation of excuses by absentees. (336) *2-53, Journal, pp. 326, 327, Record, p. 3703.*

CALL OF THE HOUSE—Continued.

(*f*) ***Excuses***—Continued.

During a call of the House a motion to adjourn is in order pending the call of the roll for excuses. (335) *2-53, Journal, pp. 68, 69, Record, p. 512.*

After the roll has been called for excuses and the House has ordered the arrest of absent Members, motions to excuse Members are in order only as they are brought to the bar. (337) *1-54, Record, p. 2805.*

(*g*) ***Arrest of Members.***

A Member who appears and answers during a call is not subject to arrest. (331) *2-52, Journal, p. 180, Record, pp. 2300, 2325.*

Form of motion for the arrest of absent Members under the old rule (330, footnote):

"*Ordered,* That the Sergeant-at-Arms take into custody and bring to the bar of the House such of its Members as are absent without leave."

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. *1-59, Record, pp. 7625, 7626.*

Members present in custody of the Sergeant-at-Arms have been allowed to vote on a motion to excuse another Member. (329) *1-52, Journal, pp. 167, 168, Record, pp. 3762, 3768, 3770.*

The Sergeant-at-Arms may be directed to take into custody such Members as have absented themselves since the first call of the roll. (330) *2-52, Journal, p. 106, Record, p. 1969.*

Although a quorum be present, the majority may direct the Sergeant-at-Arms to bring in all absentees. (307-309) *1-52, Journal, pp. 166, 167, Record, p. 3758; 1-52, Journal, pp. 160, 206, Record, pp. 3632, 3633, 4881, 4882.*

A question of privilege has arisen over an alleged attempt of a doorkeeper to arrest a Member leaving the Hall during a call of the House. (100 and footnote) *1-51, Journal, pp. 936, 937, Record, pp. 8373, 8375; 2-51, Record, p. 218.*

During a call penalties have been imposed which contemplated the future appearance at the bar of absent Members. (321) *2-27, Journal, p. 672.*

Proceedings of arrest of Members and arraignment at the bar under section 4 of Rule XV for securing attendance of a quorum. *1-59, Record, p. 7585.*

CALL OF THE HOUSE—Continued.

(*g*) ***Arrest of Members***—Continued.

Continuing orders of arrest have been made sometimes by less than a quorum. (322–327) *1–30, Journal, pp. 1034, 1035, Globe, p. 926; 1–52, Journal, pp. 166, 167, Record, pp. 3761, 3765, 3766; 2–53, Journal, pp. 177, 185, 194, 284, 286, 287, 318, 319, Record, pp. 2297, 2300, 2388, 3333.*

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. (204) *2–53, Journal, pp. 337, 338, Record, p. 3795.*

The House having made a continuing order of arrest, a motion on the succeeding day that the Sergeant-at-Arms be summoned to report his action was ruled not to be a question of privilege. (201) *2–53, Journal, p. 149, Record, p. 2034.*

(*h*) ***Dispensing with proceedings under the old rule.***

A motion to dispense with further proceedings under a call does not require a quorum for its adoption. (339) *1–51, Journal, p. 1028, Record, p. 9946.*

Proceedings under a call may be dispensed with although Members under arrest have not had the opportunity to make their excuses. (341) *1–52, Journal, p. 167, Record, p. 3770.*

If a quorum be present, a call may be dispensed with although proceedings under it may not have begun. (342) *1–51, Journal, p. 844, Record, p. 7111.*

A motion to dispense with proceedings under the call having been once entertained, was ruled out of order pending a motion for the arrest of absent Members. (299) *1–44, Journal, p. 1492, Record, pp. 5647, 5649.*

A motion to dispense with proceedings under a call is not in order pending a motion that the Sergeant-at-Arms take into custody absent Members. (326) *2–53, Journal, pp. 177–194, Record, pp. 2297, 2300, 2388.*

It has been held that a resolution revoking leaves of absence, directing that absent Members be notified to attend, and dispensing with proceedings under a call had precedence of a simple motion to dispense with proceedings under the call. (343) *2–53, Journal, pp. 330, 331, Record, pp. 3705, 3715.*

(*i*) ***Privilege and privileged questions.***

During a call of the House, when a quorum is not present, a question of privilege may not be presented unless it be something connected immediately with the proceedings. (182) *2–52, Journal, p. 105, Record, p. 1964.*

CALL OF THE HOUSE—Continued.

(*i*) ***Privilege and privileged questions***—Continued.

A conference report has been held in order even pending a motion for a call of the House, but it was not a case where the absence of a quorum had been ascertained. (1391, footnote) *1-31, Journal, p. 1590.*

(*j*) ***Suspension of rules, relative to.***

The presence of a quorum being disclosed, a motion for a call of the House is not in order pending a motion to suspend the rules. (1568) *1-52, Journal, p. 277, Record, p. 5922.*

CANALS.

Legislation relating to, is under the jurisdiction of the Committee on Railways and Canals. (627) *Rule XI, section 19.*

Points of order being reserved, paragraphs in river and harbor bill, including matters of which River and Harbor Committee has no jurisdiction, such as canals, may be ruled out in Committee of the Whole. (1645, 1646) *1-48, Record, p. 5014; 2-48, Record, pp. 1677, 1927, 2097; 2-59, Record, p. 2467.*

CAPITOL.

The care, preservation, and orderly keeping of the south wing of the Capitol devolve upon the Superintendent of the Capitol Building and Grounds under regulations prescribed by the Speaker. *4 Stat. L., p. 266; 19 Stat. L., p. 147.*

The electrician and all laborers connected with the lighting, heating, and ventilating of the House are under the direction of the Superintendent of the Capitol Building and Grounds, subject to the control of the Speaker. *21 Stat. L., p. 388.*

"No intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States." *32 Stat. L., p. 1221.*

No change in the architectural features of the Capitol or the landscape features of the Capitol grounds may be made except on plans approved by Congress. *32 Stat. L., p. 20.*

The use of the Rotunda has been controlled by a concurrent resolution of the two Houses. *1-47, Journal, pp. 951, 952.*

Power of the Speaker as to the use of the Capitol grounds for processions, ceremonies, etc. *22 Stat. L., pp. 126, 127.*

The Superintendent of the Capitol Building and Grounds enforces the law relating to exhibition of works of art in the Capitol. (1765) *18 Stat. L., p. 376; 20 Stat. L., p. 391.*

CAPITOL—Continued.

Duties of the Sergeant-at-Arms in connection with the care of the Capitol and control of the Capitol police. (1717) *Revised Statutes, sections 1820, 1821, 1823–1825.*

Protection of the laws of the District for Capitol square may be invoked by the Speaker. (1765) *Revised Statutes, section 1819.*

A proposition to investigate alleged unnecessary violence of policemen toward citizens on the Capitol grounds was ruled not to present a question of privilege. (205) *2–53, Journal, p. 369, Record, p. 4335.*

Fuel is delivered under direction of the Superintendent of the Capitol Building and Grounds. *31 Stat. L., p. 612.*

Concerts held on Capitol grounds under direction of the Superintendent of the Capitol Building and Grounds. *31 Stat. L., p. 613.*

Use of rooms lately occupied by Congressional Library in Capitol. *31 Stat. L., p. 719.*

Operation of certain street cars on grounds, under direction of Superintendent of the Capitol Building and Grounds. *31 Stat. L., p. 669.*

CAPITOL POLICE.

Shall wear uniforms when on duty. *31 Stat. L., p. 90.*

Duties of the Sergeant-at-Arms in connection with the control of the Capitol police. (1717) *Revised Statutes, sections 1820, 1821, 1823–1825.*

The captain and lieutenants of the Capitol police are selected jointly by the Sergeants-at-Arms of the two Houses, and privates and watchmen are selected one-half by each of the two officials. The Clerk of the House disburses pay of one-half. *31 Stat. L., p. 963.*

Pay of a suspended member of the Capitol police force. (1717, footnote) *18 Stat. L., p. 345.*

CAUCUSES.

The Hall of the House is used only for the legislative business of the House, for caucus meetings of its members, and for ceremonies in which the House votes to participate; and the Speaker may not entertain a motion to suspend the rule. (1739) *Rule XXXIII.*

CEMETERY.

Monuments may be erected to deceased members in the Congressional Cemetery. (1759) *19 Stat. L., p. 54.*

CENSURE.

A Member who transgresses the rules of the House is liable to censure or other punishment. (871) *Rule XIV, section 4.*

The Committee of the Whole having risen and reported disorderly language used by a Member, a resolution of censure was held to be in order without a prior decision by the Speaker that the remarks were in fact against order. (1635) *1–51, Journal, pp. 623–625, Record, pp. 4861, 4862, 4868, 4876.*

CENSUS.

Subjects relating to, belong to the jurisdiction of the Committee on the Census. *Rule XI, section 59.*

A bill relating to the taking of the census was held to be privileged because of the Constitutional requirement. *1-56, Record, p. 884, Journal, p. 166.*

CEREMONIES.

(*a*) *Announcement of the death of a Member or Senator.*
(*b*) *Memorial addresses.*
(*c*) *Decease of officials who are not Members.*
(*d*) *Other ceremonies.*

(*a*) ***Announcement of death of a Member or Senator.***

The death of a Member, when it occurs during a session of Congress, is announced to the House by a colleague, who presents resolutions in general form as follows:

1. "*Resolved,* That the House has heard with profound sorrow of the death of Hon. ——— ———, a Representative from the State of ———.
2. "*Resolved,* That a committee of ——— Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.
3. "*Resolved,* That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions; and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.
4. "*Resolved,* That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased."

These resolutions having been agreed to, and the Speaker having appointed the committee, the Member then offers the following:

5. "*Resolved,* That, as a further mark of respect, this House do now adjourn."

The death of a Member during the recess of Congress is usually announced by a colleague at the beginning of the next session, and resolutions in form similar to those numbered one, four, and five are offered.

Sometimes several such announcements are made at once, and a single adjournment is taken for all. *2-56, Journal, p. 18, Record, pp. 16, 17.*

Forms of action on death of a Senator and Member-elect who had died in the recess before the assembling of Congress. *1-59, Record, pp. 41, 45.*

CEREMONIES—Continued.

(*a*) ***Announcement of death of a Member or Senator***—Continued.

The House sometimes authorizes the funeral of a deceased Member in the Hall. *1-57, Journal, p. 672, Record, p. 5014.*

Ceremonies at the State funeral of a deceased Member or Senator. *3-55, Record, p. 679; 2-58, Record, pp. 1998-2003.*

The death of a Senator is announced to the House only by message from the Senate; and after receipt of the message, resolutions in form as follows are adopted:

"*Resolved*, That the House has heard with profound sorrow of the death of the Hon. ——— ———, a Senator of the United States from the State of ———.

"*Resolved*, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased Senator.

"*Resolved*, That a committee of ——— Members be appointed on the part of the House to join the committee appointed on the part of the Senate to attend the funeral.

"*Resolved*, That as a further mark of respect the House now adjourn." *1-59, Record, p. 7819.*

(*b*) ***Memorial addresses.***

At an appropriate time after the death of a Member a colleague offers an order:

"*Ordered*, That ———, the —— day of ———, at —— o'clock, be set apart for addresses on the life, character, and public services of Hon. ——— ———, late a Representative from the State of ———."

The day thus set apart having arrived, a colleague offers the following:

"*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. ——— ———, late a Member of this House from the State of ———.

"*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

"*Resolved*, That the Clerk communicate these resolutions to the Senate.

"*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased."

Sunday has been made a legislative day for eulogies of deceased members. *2-57, Journal, p. 191, Record, p. 1549.*

The printing and distribution of eulogies of deceased Members. (1749) *28 Stat. L., p. 616, Rev. Stat., sec. 3779.*

Monuments are erected to deceased Members buried in the Congressional Cemetery. (1759) *19 Stat L., p. 54.*

CEREMONIES—Continued.

(*c*) ***Decease of officials who are not Members.***

Proceedings and exercises in memory of the late President McKinley. *1-57, Journal, pp. 50, 223, 394, Record, pp. 93, 693, 2197-2202.*

As a mark of respect for the memory of a high officer of the Navy, the House appointed a committee to attend his funeral. *1-57, Journal, pp. 686-687, Record, pp. 5185, 5186.*

The House appointed a committee to attend the transfer of the remains of General Rosecrans. *1-57, Record, pp. 3674-3675, Journal, p. 564.*

On the announcement of the death of the Doorkeeper the House took appropriate action. *1-57, Journal, p. 458, Record, p. 2706.*

Adjournment in memory of the deceased sovereign of a foreign nation. *2-56, Journal, p. 145, Record, p. 1317.*

The House has adjourned in honor of an ex-Speaker, whose death occurred after he had ceased to be a Member. *2-57, Journal, p. 29, Record, p. 121; 1-59, Record, p. 3028.*

(*d*) ***Other ceremonies.***

The resolution of thanks to the Speaker. *2-56, Record, p. 3604; 2-58, Record, pp. 5849, 5850.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2-56, Journal, p. 194, Record, p. 1960; 3-58, Record, pp. 64, 341, 602.*

Ceremonies at a joint meeting of the two Houses in celebration of the Centennial of the Capitol. *2-56, Journal, pp. 45, 46, Record, p. 255.*

Ceremonies at the reception of the statues of Charles Carroll and John Hanson. *2-57, Record, p. 1541.* Of Frances E. Willard, John J. Ingalls, Sam Houston, and Stephen F. Austin. *3-58, Record, pp. 1078, 2801, 2809, 1202, 1214, 3429, 3450.*

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. *2-57, Journal, pp. 266, 282, 284, Record, p. 2412; 2-59, Record, p. 4133.*

The Speaker sometimes, by unanimous consent, lays before the House invitations to it to participate in public ceremonies. *1-58, Journal, p. 89, Record, p. 469.*

CERTIFICATES OF ELECTION.

See "Credentials."

CHAIRMAN OF THE HOUSE.

In the Twenty-sixth Congress Mr. John Quincy Adams presided during the struggle over the organization. (928) *1-26, Journal, pp. 1-26.*

CHAIRMAN OF COMMITTEE.

(*a*) *Appointment, recognition, etc.*
(*b*) *Clerks, etc.*

(*a*) *Appointment, recognition, etc.*

The chairmanship of a committee is determined by seniority, by election by the committee, or, in case of death of the chairman, by appointment by the Speaker. (608) *Rule X, section 3.*

The chairman of a committee having resigned his seat in the House, the committee elected a chairman. *3-55, Journal, p. 30, Record, p. 195.*

The chairman of a committee having resigned his seat in the House, the Speaker, by consent of the House, appointed a chairman. *2-58, Journal, p. 502, Record, p. 3824.*

The chairman of a committee, with the permission of the House, may resign as chairman, still remaining a member of the committee. *2-56, Journal, p. 25, Record, p. 66.*

The chairman of a committee having in committee opposed a bill, must in the House yield prior recognition to a member of his committee who has favored the bill. (71) *1-49, Journal, pp. 2225-2227, Record, pp. 7053-7057.*

The question as to the extent to which the chairman of a committee reporting a bill should be recognized to offer amendments to perfect it, in preference to other members. (73) *2-53, Record, pp. 831, 887.*

The chairman of the committee in charge of a bill is entitled at all stages to prior recognition for allowable motions intended to expedite the bill. *2-58, Record, pp. 3533, 3534.*

Oaths to witnesses may be administered by chairmen of select or standing committees. (1709) *Revised Statutes, section 101.*

(*b*) *Clerks, etc.*

Clerks of committees are appointed by the chairman, with the approval of the committee, and are paid at the public expense. (717) *Rule X, section 4.*

The chairman of a committee having a session clerk is not entitled to Member's clerk hire during a session. (23) *Decision of Comptroller Tracewell, July 7, 1898.*

Right of chairman of a committee having an annual clerk to a Member's clerk hire. (23) *Decision of Comptroller Tracewell, July 7, 1898.*

Member succeeding to chairmanship of committee having a clerk must relinquish clerk hire. (25) *Decisions of First Comptroller (Bowler), 1893-94, p. 259.*

CHAIRMAN OF COMMITTEE—Continued.

(*b*) ***Clerks, etc.***—Continued.

Members ceasing to be chairmen of committees by expiration of a Congress participate in extra allowance for clerk hire. (26) *Decisions of Comptroller* (*Bowler*), *Vol. I, p. 299.*

The chairman of a committee having a session clerk is entitled to clerk hire as soon as a session closes, although the session clerk may be paid to the end of the month. (27) *Decisions of Comptroller* (*Bowler*), *Vol. III, p. 22.*

As to the allowances for clerk hire to the chairman of the Temporary Committee on Accounts. (1736) *Decisions of Comptroller* (*Bowler*), *Vol. I, p. 384.*

The janitors of certain specified committees of the House are appointed by the chairmen of those committees and perform the duties of messengers. *32 Stat. L., p. 859.*

CHAIRMAN OF COMMITTEE OF THE WHOLE.

In forming a Committee of the Whole the Speaker leaves the chair, after appointing a Chairman, who has power to cause the galleries or lobby to be cleared. (724) *Rule XXIII, section 1.*

The Chairman of the Committee of the Whole may administer oaths to witnesses in any case under its examination. (1709) *Revised Statutes, section 101.*

The Sergeant-at-Arms, under the direction of the Chairman, maintains order in the Committee of the Whole. (1715) *Rule IV, section 1.*

A Member having defied or disregarded the authority of the Chairman of the Committee of the Whole, the committee has risen and reported to the House. (1632, 1633) *1-24, Journal, pp. 1209, 1225, Globe, p. 484.*

A Committee of the Whole has directed its Chairman to report not only the bill under consideration, but a resolution describing and proposing action in relation to an alleged breach of privilege. *2-56, Record, p. 2285.*

The Chairman of the Committee of the Whole has declined to consider a question of order arising in the House just before the committee began to sit. *1-59, Record, p. 7249.*

It is for the House and not the Chair to decide whether or not a copyrighted article shall be printed in the Congressional Record. *1-56, Record, pp. 3367, 3368.*

It is for the House and not for the Chairman of the Committee of the Whole to determine the privileges of a Member under a general leave to print in the Congressional Record. *3-55, Record, p. 2316.*

CHAIRMAN OF COMMITTEE OF THE WHOLE—Continued.

While the Committee of the Whole does not control the Record, the Chairman, in the preservation of order, may direct the exclusion of disorderly words spoken by a Member after he has been called to order. *1-59, Record, pp. 7469, 7472, 7473.*

The rule relating to admission to the privileges of the floor applies to the Committee of the Whole and its Chairman as well as to the House and the Speaker. (1744) *2-53, Journal, p. 90, Record, p. 840.*

After the Chair has declared the result of a vote by tellers, he may not order the vote taken again because of alleged irregularities. (1141) *1-29, Globe, p. 347.*

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. *3-58, Record, p. 3001.*

The Chair may be counted on a vote by tellers. *2-58, Record, p. 2049.*

CHALLENGE.

Challenge of a Member by a Senator in 1796 was determined to be a breach of the privileges of the House. (156) *1-4, Journal, pp. 470-474, Annals, pp. 786-795.*

An explanation having been demanded of a Member for a question asked during a trial for contempt, the House did not take up the matter as a question of privilege. (163) *1-22, Journal, p. 740, Debates, pp. 3023-3036.*

CHANGE OF EXISTING LAW.

See "Appropriation bills."

CHANGE OF REFERENCE.

See "Bills."

CHANGE OF VOTE.

See "Voting."

CHAPLAIN.

Method of election of. (2) *Rule II.*

This officer is elected by *viva voce* vote, and is sworn to support the Constitution, to the faithful discharge of his duties, and to keep the secrets of the House. (1704) *Rule II.*

The election of a Chaplain has been held to constitute a question of privilege. (1723) *1-36, Journal, pp. 442, 443, Globe, p. 992.*

The practice of electing a Chaplain was suspended during the Thirty-fifth Congress. (1724) *1-35, Journal, p. 58, Globe, pp. 25, 26.*

The Chaplain opens each day's sitting with prayer. (1722) *Rule VII.*

CHARGES.

If charges arise against a Member, he is to be heard. (8) *Jefferson's Manual, Section XVII, p. 158.*

CHARTS OF COAST SURVEY.

Each Member entitled to ten. (11) *28 Stat. L., pp. 620, 621.*

CHIEF PAGES.

The pages of the House, except the chief pages, riding pages, and telephone pages, shall not be under twelve or over eighteen years of age. *31 Stat. L., p. 968.*

CIVIL OFFICERS.

The President, Vice-President, and all civil officers of the United States may be removed on impeachment for treason, bribery, or other high crimes or misdemeanors. (1695) *Constitution, Article I, section 3, p. 5; Article II, section 4, p. 23.*

CIVIL PROCESS.

A Member having been arrested and detained on civil process, the House liberated him and restored him to his seat by the hands of its own officer. (153) *2-39, Journal, pp. 103, 105.*

CIVIL SERVICE.

Subjects relating to, belong to the jurisdiction of the Committee on Reform in the Civil Service. (644) *Rule XI, section 36.*

CLAIMS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (639) *Rule X; Rule XI, section 31.*

A private bill providing for a rehearing and a readjudication in the Court of Claims belongs to the jurisdiction of a Claims Committee and not to the Judiciary Committee. *2-56, Record, pp. 2481-2484.*

CLAIMS.

(*a*) *Court of.*
(*b*) *General provisions.*
(*c*) *Committee of the Whole, consideration in.*
(*d*) *In appropriation bills. See* "Appropriation bills."

(*a*) ***Court of.***

The relations of the House with the Court of Claims. (1437) *22 Stat. L., p. 485; 24 Stat. L, p. 505.*

No Member shall practice in. (7, footnote) *Revised Statutes, section 1058.*

CLAIMS—Continued.

(*a*) ***Court of***—Continued.

Under the present practice of the House reports from the Court of Claims under the Bowman Act do not remain on the Private Calendar from Congress to Congress. (1433–1436) *1–50, Record, pp. 110, 779; 1–51, Record, pp. 2159, 2239.*

Reports of judgments of the Court of Claims are transmitted to Congress at the first of every December session. (1437) *Revised Statutes, section 1057.*

(*b*) ***General provisions.***

Bills for the payment or adjudication of private claims against the Government may go only to certain specified committees. (660) *Rule XXI, section 3.*

Reports of findings of fact from the Court of Claims are referred to the committee having original jurisdiction in the matter. (1433) *1–50, Record, p. 110.*

A resolution sending a series of claims to the Court of Claims was held to be in order on the Private Calendar. (1432) *2–53, Record, pp. 5279, 5286.*

When an act has passed for the settlement of a claim, the Clerk may transmit to officer charged with settlement the papers, or loan to Government officers papers relating to matters pending before them. (1752) *Rule XXXIX.*

Taking of testimony in private claims. (1779) *20 Stat. L., p. 278.*

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. (1703) *Rule XLIII.*

It is the duty of the Committee on Accounts to inquire into and report violations of the rules forbidding officers or employees to be claim agents. (1703) *Rule XLIII.*

By special order during this Congress bills reported from the Committee on Claims and War Claims alternate in priority on Fridays, other than the second and fourth of each month. *Rule XXVI, section 1 (note).*

(*c*) ***Committee of Whole, consideration in.***

Bills releasing liability to the United States or referring any claim to the Court of Claims must be considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

Under the latest ruling a bill for the adjudication and payment of claims requires consideration in Committee of the Whole. *3–58, Record, pp. 282, 283.*

A bill admitting a class of claims to the Court of Claims for examination and report, but leaving Congress free as to final action in regard to payment, was held not to require consideration in Committee of the Whole. (797) *2–48, Journal, p. 260; Record, pp. 696, 697.*

CLAIMS—Continued.

(*c*) ***Committee of Whole, consideration in***—Continued.

A bill to create a commission to determine damages done to citizens was held not to provide for the payment or adjudication of a claim against the Government, and hence not to be affected by the prohibition of section 3 of Rule XXI. (682) *2-53, Journal, p. 493; Record, p. 7661.*

CLERK OF THE HOUSE.

(*a*) *Election of.*
(*b*) *Duties at organization of House.*
(*c*) *Legislative duties.*
(*d*) *Duties as executive officer.*
(*e*) *Duties in relation to employees.*

(*a*) ***Election of.***

Method of election. (1704) *Rule II.*

Election of the Clerk of the House presents a question of privilege. (127) *1-31, Journal, p. 789.*

This officer is elected by viva voce vote, and is sworn to support the Constitution, to the faithful discharge of his duties, and to keep the secrets of the House; and appoints the employees of his department. (1704) *Rule II.*

(*b*) ***Duties at organization of House.***

Duties of the Clerk at the organization of the House. (2)

At the beginning of each Congress the Clerk calls the Members to order, calls the roll, and presides pending the election of Speaker, deciding questions of order subject to an appeal. (1710) *Rule III, section 1.*

At the beginning of each Congress the Clerk makes up the roll of Members-elect, and declines to entertain motions to amend that roll when the House meets. (1714 and 1710, footnote) *Revised Statutes, section 31; 1-41, Globe, p. 3; 1-43, Record, p. 5; 1-45, Journal, p. 10.* Formerly motions to amend the roll were quite frequent. *1-38, Journal, p. 7.*

In the absence or disability of the Clerk, the Sergeant-at-Arms may officiate at the organization of the House. (1717) *Revised Statutes, section 32.*

The Speaker pro tempore whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and, under the circumstances, was the only motion in order. (57) *1-44, Journal, p. 1153, Record, p. 4132.*

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. (58) *2-44, Journal, p. 8, Record, p. 5.*

CLERK OF THE HOUSE—Continued.

(*c*) ***Legislative duties.***

All motions shall be stated by the Speaker or read by the Clerk. (923) *Rule XVI, section 2.*

The Clerk notes decisions on questions of order in the Journal, publishes and distributes the Journal, and preserves for each Member a copy of documents printed by either of the two Houses. (1712) *Rule III, section 3.*

Petitions, memorials, and private bills are referred by Members and delivered to the Clerk, who enters them on the Journal and furnishes a transcript for the Record. (448) *Rule XXII, section 1.*

The amendment of the numbering of the sections of a bill is done by the Clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190; 1-57, Record, p. 6777.*

Resolutions accompanying a report must be stated by the Speaker or read by the Clerk before being debated. (841) *2-48, Journal, p. 745, Record, pp. 2412, 2413.*

Practice as to the transmittal of messages to the Senate. *1-57, Record, pp. 5950-6043.*

Messages sent to the House by the President before its organization have been retained in custody of the Clerk, but have not been read. (1450, 1451) *1-34, Journal, pp. 221-228, 231-233, 444, 511, Globe, pp. 111-113; 1-36, Journal, p. 83, Globe, p. 268.*

The Clerk certifies the passage of all bills and joint resolutions. (1712) *Rule III, section 3.*

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpœnas. (1712) *Rule III, section 3.*

Proceedings in cases of contested elections. (21) *Revised Statutes, sections 105-130; 18 Stat. L., p. 338; 20 Stat. L., p. 400; 24 Stat. L., p. 445.*

(*d*) ***Duties as executive officer.***

General duties of the Clerk. (1712, 1714) *Rule III, section 3; Revised Statutes, sections 31-33, 38, 58, 59, 60-69, 70-72, 94, 4837; 18 Stat. L., p. 389; 19 Stat. L., p. 145; 24 Stat. L., p. 346; 28 Stat. L., p. 159.*

It is the duty of the Clerk to have printed and delivered to each Member a list of the reports required to be made to Congress. (1711) *Rule III, section 2.*

The Clerk contracts for the stationery used by the House. (1714) *Revised Statutes, sections 66-69.*

CLERK OF THE HOUSE—Continued.

(*d*) ***Duties as executive officer***—Continued.

The Clerk keeps the contingent fund and stationery accounts, pays Members' stationery accounts, and pays the officers and employees monthly. (1712) *Rule III, section 3.*

Stationery for the House and committees is furnished, on requisition, by the Clerk. (1757) *28 Stat. L., p. 624.*

The Clerk makes or approves all contracts, bargains, or agreements relative to supplies or labor for the House. (1712) *Rule III, section 3.*

The Clerk is required to make contracts with the lowest bidder for packing boxes for use of the House. *31 Stat. L., p. 967.*

(*e*) ***Duties in relation to employees.***

The Clerk makes reports to the House of the receipts and expenditures of his office and the property under his charge. (1714) *Revised Statutes, sections 70, 72.*

No officer or employee of the House should produce papers of the House before a court without permission of the House. (1754) *1-46, Journal, p. 186.*

When an act has passed for the settlement of a claim, the Clerk may transmit to officer charged with settlement the papers, or loan to Government officers papers relating to matters pending before them. (1752) *Rule XXXIX.*

The Postmaster having died, it was held that contracts for carrying the mails must be made by the Clerk, and not by the assistant postmaster. (1726) *Decisions of the Comptroller (Bowler), Vol. I, p. 496.*

Decision as to the employment of the index clerk. (1713)

Employees under Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for which they were appointed, except in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

The Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall certify to their monthly pay rolls, stating whether or not the employees thereon have been present and performed their duties, etc., and neglect of this requirement is cause for removal. *31 Stat. L., p. 968.*

The Clerk disburses the pay of half the Capitol police. *31 Stat. L., p. 963.*

The library of the House is under the control and direction of the Librarian of Congress, and the Librarian and three assistants are appointed by the Clerk with the approval of the Speaker; and removals must be for cause approved by the Committee on Rules. *31 Stat. L., p. 964.*

CLERKS, ETC., OF COMMITTEES.

(*a*) *Appointment, pay, etc.*
(*b*) *Authorization and assignment.*
(*c*) *Duties, etc.*

(*a*) *Appointment, pay, etc.*

Clerks of committees are appointed by the chairman, with the approval of the committees, and are paid at the public expense. (717) *Rule X, section 4.*

The committees having permanent or annual clerkships. (718, footnote) *32 Stat. L., p. 859.*

Janitors of committees are appointed by the chairmen of certain enumerated committees, and perform their duties under direction of the Doorkeeper. *34 Stat. L., p. 394.*

There is no legal power to fill a vacancy in the clerkship of a committee after one Congress has expired and before the next House has been organized. (723) *Decisions of First Comptroller, 1893–94 (Bowler), p. 2.*

The clerk to the Committee on Post-Offices and Post-Roads being appointed a postmaster in one of the States was decided to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. (722) *Decisions of First Comptroller, 1893–94 (Bowler), p. 61.*

A clerk of a committee who ceased to hold office on December 21 was held not to be entitled to the salary for the remainder of the month under the terms of a resolution directing the payment of salaries of employees for that month on the 20th. (721) *Decisions of the Comptroller (Bowler), Vol. II, p. 359.*

The pay of clerks to committees and its computation. (719, footnote) *22 Stat. L., p. 378.*

A session clerk is entitled to compensation only from the date when he enters upon the discharge of his duties with the committee. (720) *Decisions of the Comptroller (Bowler), Vol. II, p. 638.*

(*b*) *Authorization and assignment.*

Method of authorizing annual clerks to committees. (718) *1–50, Record, pp. 7884, 7885.*

The Committee on Accounts authorizes and assigns clerks to committees. (1737) *2–55, Record, pp. 264, 265.*

The method of assigning session clerks to committees not having annual clerks. (719) *2–55, Record, p. 79.*

The Committees on Pensions and Invalid Pensions are entitled each to have an assistant clerk detailed from the Interior Department (Pension Office). *23 Stat. L., 266.*

CLERKS OF COMMITTEES—Continued.

(c) *Duties, etc.*

At the time of final adjournment the clerks of committees are required to deliver to the Clerk of the House the papers of the committees. (1751) *Rule XXXVIII, section 1.*

Clerks are entitled at certain times to privileges of floor of the House. (1740) *Rule XXXIV.*

CLERKS OF MEMBERS.

Conditions of the employment of clerks by Members. (24) *27 Stat. L., p. 757; 34 Stat. L., p. 942; Decisions of First Comptroller, 1893–94 (Bowler), pp. 43, 44.*

Not required to take the oath prescribed by section 1756, Revised Statutes. (24) *Decisions of First Comptroller, 1893–94 (Bowler), pp. 43, 44.*

A Member-elect is not entitled to clerk hire. (28) *Decisions of the Comptroller (Bowler), Vol. III, p. 20.*

Chairman of a committee having a session clerk is entitled to clerk hire as soon as a session closes, although the session clerk may be paid to the end of the month. (27) *Decisions of the Comptroller (Bowler), Vol. III, p. 22.*

Members ceasing to be chairmen of committees, by expiration of a Congress, participate in extra allowance for clerk hire. (26) *Decisions of the Comptroller (Bowler), Vol. I, p. 299.*

A Member succeeding to the chairmanship of a committee under section 3 of Rule X is not entitled to clerk hire if the committee has a clerk. (25) *Decisions of First Comptroller, 1893–94 (Bowler), p. 259.*

Chairmen of committees entitled to annual clerks are allowed clerk hire during vacations. (23) *Decision of Comptroller Tracewell, July 7, 1898.*

The chairman of a committee having a session clerk not entitled to member's clerk hire during a session. (23) *Decision of Comptroller Tracewell, July 7, 1898.*

As to the allowances for clerk hire to the chairman of the Temporary Committee on Accounts. (1736) *Decisions of the Comptroller (Bowler), Vol. I, p. 384.*

CLERKS IN DEPARTMENTS.

The law authorizing the employment of clerks by the heads of Departments does not apply to offices not at the seat of Government. *1–56, Record, pp. 3441, 3442, 3497.*

COINAGE.

Subjects relating to, belong to the Committee on Coinage, Weights, and Measures. (615) *Rule XI, section 6.*

COINAGE, WEIGHTS, AND MEASURES, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (615) *Rule XI, section 6.*

COLUMBIA HOSPITAL.

Directors to be appointed by the Speaker. (48) *17 Stat. L., p. 360.*

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

Directors to be appointed by the Speaker. (48) *Revised Statutes, section 4863.*

COMMERCE.

Subjects relating to, belong to the jurisdiction of the Committee on Interstate and Foreign Commerce. (616) *Rule XI, section 7.*

COMMISSIONS.

Commissions are sometimes constituted by law to perform certain duties, like making investigations, etc. (602, footnote) *28 Stat. L., p. 39; 30 Stat. L., p. 476; 33 Stat. L., pp. 561, 1249.*

For performing duties after the expiration of the term of a Congress, commissions are created by law. *3–58, Record, pp. 2709, 3814.*

The eligibility of Members of the House for appointment as members of commissions created by act of Congress. *3–55, Report of H. of R., No. 2205.*

Reports of commissions are presented to the House like reports of committees. *2–56, Journal, p. 116; Record, p. 985; 2–58, Journal, p. 224, Record, p. 1421.* But are referred to committees of the House when presented. *3–58, Record, pp. 449, 450, 511.*

COMMIT, MOTION TO.

See "Refer."

COMMITTEES.

(*a*) *Sittings and procedure of.*
(*b*) *Appointment of.*
(*c*) *Proceedings by authority of a committee.*
(*d*) *General provisions relating to.*
(*e*) *Discharge of.* See "Discharge of committee."
(*f*) *Reference of bills to.* See "Bills."
(*g*) *Jurisdiction of.* See "Jurisdiction."
(*h*) *Chairmen of.* See "Chairmen of committees."
(*i*) *Relations to debate.* See "Debate."
(*j*) *Reports of.* See "Reports."
(*k*) *Privileged reports.* See "Reports."

COMMITTEES—Continued.

(*l*) *Select, and their reports.* See "Select committees."

(*m*) *Privileged matters in.* See "Privileged questions."

(*n*) *Investigations by.* See "Investigations."

(*o*) *Clerks, etc., of.* See "Clerks of committees."

(*p*) *Of conference.* See "Conferees."

(*a*) ***Sittings and procedure of.***

A majority of a committee constitute a quorum. (601) *Jefferson's Manual, Section XXVI, p. 166.*

A committee have full power over a bill, but may not change the title or subject. (601) *Jefferson's Manual, Section XXVI, p. 166.*

Committees may not interline or blot bills, but must set down the amendments separately. (601) *Jefferson's Manual, Section XXVI, p. 168.*

Although committees meet when and where they please (except that they may not sit during sessions of the House without leave), they can only agree to a report acting together. (601) *Jefferson's Manual, Section XXVI, p. 166.*

No committee except the Committee on Rules may sit without leave during the sitting of the House. (657) *Rule XI, section 62.*

A request that a committee have leave to sit during the sessions of the House has no privileged status in the order of business, and may be prevented by a single objection. *2-59, Record, p. 1168.*

The House may empower a committee to sit during a recess which is within the constitutional session of the House. (602, footnote, 658) *1-32, Journal, p. 1119, Globe, pp. 2414, 2418; 2-45, Journal, p. 132, Record, pp. 228, 231; 1-56, Record, p. 5923, Journal, p. 614.*

Instance wherein the House authorized two standing committees to sit as one committee for the consideration of a specified bill. *2-59, Record, p. 1587.*

For performing duties after the expiration of the term of a Congress, commissions are created by law. *3-58, Record, pp. 2709, 3814.*

The committee must rise instantly as soon as the House sits. (602) *Jefferson's Manual, Section XI, p. 147.*

A proposition to increase the duties of a committee is a change of the rules, and should be referred to the Committee on Rules. (659) *1-51, Journal, p. 1116, Record, pp. 10777, 10778.*

A report being recommitted, the whole question is again before the committee, as if nothing had passed. (601, 995) *Jefferson's Manual, Section XXVIII, p. 169.*

Commissions are sometimes constituted by law to perform certain duties, like making investigations, etc. (602, footnote) *28 Stat. L., p. 392; 30 Stat. L., p. 476.*

COMMITTEES—Continued.

(*a*) ***Sittings and procedure of***—Continued.

The rule relating to business before committees unfinished at the end of the session. (367) *Rule XXVII.*

A bill being recommitted to a committee with instructions to reexamine and amend a certain portion, it is not in order for the committee to review other portions of the bill. (1003) *1-54, Record, p. 1342.*

It is not in order to move to recommit a bill with instructions to the committee to report an amendment which is not germane. (1023-1031) *1-48, Journal, pp. 703, 1247, Record, pp. 4256, 4257; 2-35, Journal, p. 389, Globe, pp. 1007, 1009; 2-53, Journal, pp. 446, 453, Record, pp. 6739, 6908; 2-51, Journal, p. 165, Record, p. 1638; 1-55, Record, pp. 939, 1187; 2-55, Record, p. 811.*

A charge that a committee had been inactive in regard to a measure committed to it was decided not to constitute a question of privilege. (211) *2-53, Journal, p. 552, Record, p. 8339.*

(*b*) ***Appointment of.***

The rule provides that the Speaker shall appoint the standing committees at the commencement of each Congress. (604) *Rule X, section 1.*

Select and conference committees are appointed by the Speaker under the rule. (605) *Rule X, section 2.*

Instance wherein a select committee was authorized by the adoption by the House of a motion to refer. *2-58, Record, pp. 3151-3153.*

A resolution providing for the appointment of a select committee is not in violation of the rule relating to the standing committees. (603) *1-47, Journal, p. 668, Record, pp. 1447, 1448.*

Criticism having been made by Members because of the delay of the Speaker in appointing the committees, the House has by vote expressed its approval of the Speaker's conduct. (606, 607) *1-55, Record, pp. 651, 874.*

A Speaker pro tempore by designation merely asks consent of the House before appointing committees. *2-57, Journal, p. 209, Record, p. 1772.*

The Speaker, in filling vacancies on a committee, sometimes designates the rank of the appointee on the committee list. *2-57, Journal, p. 8, Record, p. 19.*

The usage in relation to majority and minority representation on committees. *1-57, Record, p. 649.*

The request of a Member that he be relieved from service on a committee is submitted to the House for approval. *1-56, Record, p. 885, Journal, p. 166.*

COMMITTEES—Continued.

(*b*) ***Appointment of***—Continued.

A Member may be appointed on a committee before he has taken the oath. (15) *2-49, Record, p. 1157; Jefferson's Manual, Section III, p. 135; 1-57, Journal, p. 298, Record, p. 1249; 2-57, Journal, pp. 24, 75.*

A Member-elect who had been appointed on a committee before taking the oath, not having appeared, the Speaker, with the consent of the House, appointed another member to the vacancy. *2-59, Record, p. 635.*

A Member-elect may not vote until he has taken the oath. (602) *Jefferson's Manual, Section III, p. 135.*

At the end of each Congress the Speaker appoints a temporary Committee on Accounts, to continue until the organization of the House in the next Congress. (1734) *28 Stat. L., p. 768.*

Conference committees have been appointed by the Speaker since the earliest years of the House. (1696) *2-5, Annals, Vol. I, p. 952.*

The motion of the Member in charge of the bill as to the disposition of a Senate amendment being disagreed to, and a conference being asked, the conferees were so selected as to represent the attitude of the House. *1-57, Journal, pp. 873, 874, Record, pp. 7607, 7608.*

A conference committee is practically two distinct committees, each of which acts by a majority. (1401) *1-29, Globe, p. 1179.*

On an important measure the Speaker appointed five conferees, although the Senate had named but three. *1-57, Record, pp. 7524, 7525, Journal, pp. 859, 860.*

Delegates are appointed to certain committees, where they possess the same powers and privileges as in the House, and may make any motion except to reconsider. (609) *Rule XII.*

The resident commissioner from Porto Rico has certain of the privileges of Delegates and may serve on the Committee of Insular Affairs. *Rule XII, section 2.*

For their names, jurisdiction, power, history, etc. (610-656) *Rule XI, sections 1-57.*

(*c*) ***Proceedings by authority of a committee.***

Rules are suspended by a two-thirds vote on the last six days of a session and on the first and third Mondays of each month, individuals having preference on the first Monday and committees on the third. (1556) *Rule XXVI, section 1.*

After a motion to suspend the rules has been seconded and debate has begun, it is too late to make the point that the motion has not been authorized by a committee. (1600) *2-51, Record, p. 489.*

COMMITTEES—Continued.

(*c*) ***Proceedings by authority of a committee***—Continued.

A committee may not move to suspend the rules and pass a bill which has not been referred to it. (1597) *1-51, Record, p. 8772.*

The motion to suspend the rules on a committee suspension day must be formally and specifically authorized by a committee. (1598, 1599) *1-51, Journal, p. 242, Record, p. 1405; 1-56, Record, p. 5821, Journal, p. 604.*

On committee suspension days the Speaker sometimes calls the committees in regular order for motions to suspend the rules, but this method is not required by the rules. (1562, 1563) *3-46, Journal, p. 104, Record, pp. 273, 274; 1-51, Record, p. 1405.*

The rule of the morning hour for the consideration of bills called up by committees. (375) *Rule XXIV, section 4.*

Bills considered in the morning hour must be called up by authorization of the committees, but the Speaker can not in case of dispute decide as to the validity of such authorization. (705) *2-49, Record, p. 43.*

A bill having been brought before the House on motion of a committee and consideration having begun, the validity of the authorization by the committee may not then be questioned. (706) *2-51, Journal, p. 55, Record, pp. 487, 488.*

The Speaker may, upon statements from the chairman and other members of a committee, rule that the calling up of a bill has been authorized by a committee. *3-55, Journal, p. 34, Record, pp. 221, 222.*

A bill presented by a committee under the call of committees may be withdrawn by authority of the committee. (463) *2-54, Journal, p. 77, Record, pp. 740, 764.*

The motion to go into Committee of the Whole House on the state of the Union at the end of the morning hour to consider a particular bill, must be authorized specifically by a committee. (715) *2-51, Journal, p. 67, Record, p. 647;* but an individual member may move to go in generally. *3-58, Record, pp. 167, 168.*

When, by authority of a committee, a motion is made to go into Committee of the Whole to consider a particular bill (not a revenue or appropriation bill) an amendment designating another bill may be offered by a member individually. (387) *2-51, Journal, p. 103, Record, p. 961.*

The rule giving revenue and general appropriation bills precedence on the request of the appropriate committees. (389) *Rule XVI, section 9.*

COMMITTEES—Continued.

(*c*) ***Proceedings by authority of a committee***—Continued.

The authorization of the committee being undoubted, a Senate bill need not necessarily be called from the Speaker's table by one of the committee. (361) *1-51, Journal, pp. 849, 850, Record, p. 7161.*

The Committee for the District of Columbia may not on a District day call up a bill reported from another committee. (1446) *2-54, Record, p. 913.*

Forms of special orders for giving time to committees. (1313, 1314) *1-54, Record, pp. 5381, 5466.*

A day being assigned a committee by a special order for the consideration of such business as it may present, it is in order for the committee to indicate any bill it may please, whether from its own bills, from the calendars, or from the Speaker's table. (1268) *1-47, Journal, p. 1540, Record, p. 5349.*

Unfinished business on a day assigned to a committee goes over to the next day had by the committee. (368) *1-44, Journal, p. 860, Record, p. 2737.*

(*d*) ***General provisions relating to.***

Stationery for committees. (1757, 1758) *28 Stat. L., p. 624.*

The Doorkeeper is charged with the custody of furniture, books, and other public property in the committee and other rooms, and must account to the House and the Committee on Accounts. (1719) *Rule V, section 2.*

Joint committee on waste papers in Executive Departments. (1783) *25 Stat. L., p. 672.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2-56, Journal, p. 194, Record, p. 1960.*

Joint committees should be authorized by concurrent, and not by joint, resolutions. *2-56, Journal, p. 123, Record, pp. 1103-1106.*

A bill to create a commission to determine damages done to citizens was held not to provide for the payment or adjudication of a claim against the Government, and hence not to be affected by the prohibition of section 3 of Rule XXI. (682) *2-53, Journal, p. 493, Record, p. 7661.*

Relations of the Committee on Levees and Improvements of the Mississippi River with the Committee on Rivers and Harbors. *2-56, Record, pp. 1094, 1095.*

The janitors of certain specified committees of the House are appointed by the chairmen of those committees, and perform the duties of messengers. *32 Stat. L., p. 859.*

COMMITTEES—Continued.

(*d*) ***General provisions relating to***—Continued.

A Member at whose suggestion the report of a committee, of which he was not a member, was modified, was appointed a conferee when the question came to conference. *2-56, Journal, p. 144, Record, p. 1316.*

It is not in order in the House to refer to the proceedings of a committee. *2-57, Record, pp. 2655, 2716.*

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. *2-57, Journal, pp. 266, 282, 284, Record, p. 2412.*

COMMITTEE OF THE WHOLE.

(*a*) *Motions to go into.*
(*b*) *Motions to go into—Privileged.*
(*c*) *Motions to go into—On Fridays.*
(*d*) *Motions to go into—After morning hour.*
(*e*) *Points of order.*
(*f*) *Practice in—Rules, rising, etc.*
(*g*) *Practice in—Consideration of bills.*
(*h*) *Practice in—Votes and motions.*
(*i*) *Informal rising.*
(*j*) *Subjects considered in.*
(*k*) *Subjects not considered in.*
(*l*) *General provisions.*
(*m*) *House as in Committee of the Whole.*
(*n*) *Debate in.* See "Debate."
(*o*) *Order of business in.* See "Order of Business."
(*p*) *Disorder in.* See "Disorder."
(*q*) *Reports from.* See "Reports."
(*r*) *Quorum in.* See "Quorum."

(*a*) ***Motions to go into.***

In forming a Committee of the Whole the Speaker leaves the chair after appointing a Chairman, who has power to cause the galleries or lobby to be cleared in case of disorder therein. (724) *Rule XXIII, section 1.*

According to the later practice, a motion to adjourn is not in order after the House has voted to go into Committee of the Whole. (1490, 1491) *1-47, Journal, p. 609, Record, p. 1259; 2-49, Journal, p. 384, Record, p. 917.*

The House having voted to resolve itself into Committee of the Whole the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. *2-57, Journal, p. 271, Record, pp. 2228, 2229.*

COMMITTEE OF THE WHOLE—Continued.

(*a*) ***Motions to go into***—Continued.

After the vote has been taken on the motion to go into Committee of the Whole, it is too late to offer a motion to close general debate in the Committee of the Whole. *2-56, Journal, pp. 292, 293, Record, pp. 3235, 3236.*

A motion to reconsider the vote whereby the House resolves itself into Committee of the Whole has been entertained when made before the Speaker had left the chair. (1491) *2-49, Journal, p. 384, Record, p. 917.*

A motion to go into Committee of the Whole, when decided in the negative, may not be reconsidered. *1-59, Record, pp. 2609, 2610.*

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. *2-56, Journal, p. 293, Record, p. 3236.*

Under direction of a special order the Speaker declares the House resolved into Committee of the Whole. (1281) *2-54, Record, p. 934.*

A motion to go into Committee of the Whole to consider a bill having been made, it was held that the only way for the House to express its wish as to consideration of the bill was by its vote on the motion to go into Committee of the Whole. (835) *2-53, Journal, p. 145, Record, p. 2009; 2-56, Record, p. 2917; 2-57, Record, pp. 2426, 2427.*

By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein, the House may then consider business prescribed by the regular order. *1-57, Record, p. 2498.*

(*b*) ***Motions to go into—Privileged.***

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider appropriation bills are of equal privilege. (395) *2-52, Journal, p. 108.*

The motion to go into Committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition, and the previous question may not be demanded on it. *3-55, Record, pp. 1995, 1996.*

The motion to resolve into Committee of the Whole to consider a privileged bill is not amenable or debatable. *1-59, Record, p. 7248.*

The motion to go into Committee of the Whole to consider general appropriation bills is highly privileged and may be made on a "suspension day." (391) *2-51, Journal, p. 251.*

The motion to go into Committee of the Whole House on the state of the Union, at the end of the morning hour, to consider a particular bill must be authorized by a committee, but the individual member may move to go in generally. *3-58, Record, pp. 167, 168.*

COMMITTEE OF THE WHOLE—Continued.

(*b*) ***Motions to go into—Privileged***—Continued.

In making the required motion under section 9 of Rule XVI it is in order to designate the particular appropriation bill to be considered. (390) *1-51, Record, p. 3256.*

(*c*) ***Motions to go into—On Fridays.***

A motion to go into Committee of the Whole to consider general appropriation bills is in order Friday as on other days. (392) *1-51, Journal, p. 398, Record, p. 2747.*

The motion to go into Committee of the Whole to consider general appropriation bills has precedence of a motion to go into the Committee of the Whole on Friday to consider the Private Calendar. (393, 394) *2-55, Record, p. 1436; 2-56, Record, p. 2476.*

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday, as against private business. *2-57, Record, p. 2425.*

The motion to go into Committee of the Whole House to consider business on the Private Calendar may not include a designation of the bills to be considered by the committee. *1-56, Record, pp. 1223, 1224, 2355, Journal, p. 311.*

The unfinished business of a Friday, whether of a day or evening session, is in order before the motion to go into Committee of the Whole House. (369-373) *1-51, Journal, p. 344, Record, p. 2237; 2-52, Journal, p. 33, Record, p. 381; 1-54, Journal, p. 365, Record, p. 3536; 2-55, Record, pp. 1982, 2737.*

Each Friday, after the unfinished business is disposed of, the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. (1422) *Rule XXIV, section 6.*

If the House negatives the motion to go into the Committee of the Whole House to consider the Private Calendar on Friday, it is in order to proceed with public business as on other days. (1422) *Rule XXIV, section 6.*

(*d*) ***Motions to go into—After morning hour.***

The rule for going into Committee of the Whole House on the state of the Union at the expiration of sixty minutes of the morning hour. (386) *Rule XXIV, section 5.*

It is not in order, before the expiration of sixty minutes of the call of committees, to move to go into Committee of the Whole House on the state of the Union to consider a bill that is not privileged. *2-59, Record, p. 555.*

COMMITTEE OF THE WHOLE—Continued.

(*d*) ***Motions to go into—After morning hour***—Continued.

The amendment authorized by section 5 of Rule XXIV is one substituting another bill on the Union Calendar. (388) *2-55, Record, p. 4988.*

The motion to go into Committee of the Whole House on the state of the Union at the end of the morning hour must be authorized specifically by a committee. (715) *2-51, Journal, p. 67, Record, p. 647.*

When, by authority of a committee, a motion is made to go into Committee of the Whole to consider a particular bill (not a revenue or appropriation bill), an amendment designating another bill may be offered by a Member individually. (387) *2-51, Journal, p. 103, Record, p. 961.*

The motion to go into Committee of the Whole House on the state of the Union may be made after sixty minutes of morning hour, or sooner if that order fails. *2-58, Record, pp. 877, 878.*

An instance wherein the House, by recess, remained for two calendar days at the stage of business wherein the motion under Rule XXIV, section 5, was in order. *2-58, Record, pp. 877, 900, 924, 940.*

The motion to go into Committee of the Whole House on the state of the Union under section 5 of Rule XXIV may be repeated, although the committee may have risen after having considered a bill under that order of business. *1-56, Record, pp. 4875, 4876, Journal, pp. 522, 524; 1-57, Record, pp. 2805, 2809, 2811, 2813.*

A bill unfinished at a session of the Committee of the Whole House on the state of the Union, held under section 5 of Rule XXIV, is again in order when the House goes into Committee of the Whole to consider it under that rule. *1-56, Record, p. 1286.*

(*e*) ***Points of order.***

Points of order are usually reserved when appropriation bills are referred to Committee of the Whole, otherwise the committee must consider the bill in its entirety and may not eliminate a portion which is in violation of rule. (1644–1649) *1-48, Record, p. 5014; 2-48, Record, pp. 1677, 1927, 2097; 1-54, Record, pp. 581, 1119, 3411; 2-54, Record, pp. 311, 312; 2-55, Record, p. 6083.*

The Chairman of the Committee of the Whole having ruled a proposed amendment out of order, the committee rose and reported the point of order to the House; whereupon the Speaker held that the question did not come within his jurisdiction. (1650) *2-25, Globe, p. 224 et seq.*

COMMITTEE OF THE WHOLE—Continued.

(*e*) ***Points of order***—Continued.

The Speaker can not rule in regard to what occurs in Committee of the Whole unless the point of order is reported to the House for decision. (1651–1654) *2–39, Globe, p. 528; 2–49, Record, p. 1059; 2–45, Journal, p. 81, Record, p. 108; 3–53, Journal, p. 125; 1–59, Record, pp. 7472, 7473.*

A matter alleged to have arisen in Committee of the Whole but not reported by the Chairman, may not be brought to the attention of the House on the claim that a question of privilege is involved. *1–56, Record, p. 4730.*

The Chairman of the Committee of the Whole has declined to consider a question of order arising in the House just before the Committee began to sit. *1–59, Record, p. 7249.*

A question of privilege has been raised in Committee of the Whole when it related to a matter occurring in Committee of the Whole, but the decisions sustaining such procedure are not uniform. (178–181) *1–51, Record, pp. 3826, 4558–4860; 1–52, Record, p. 3116; 1–31, Globe, p. 1475; 2–55, Record, p. 3233; 3–55, Record, p. 1279.*

The Committee of the Whole having no control over the Congressional Record reported to the House an alleged breach of privilege involved in the reading of an anonymous letter in the committee, and the House struck the letter from the Record. *2–56, Journal, p. 222, Record, pp. 2320, 2321.* But the Chairman may direct words spoken after a Member is called to order to be excluded. *1–59, Record, pp. 7469, 7473.*

An appeal being taken from a decision of a chairman of a Committee of the Whole, the committee may rise and report the point of order to the House; but such has not been the general practice of the House. (735) *1–44, Journal, p. 945, Record, p. 3049.*

A public bill having been reported by a committee and referred to the Committee of the Whole for consideration, a point of order may not be raised in Committee of the Whole as to the jurisdiction of the committee making the report. (669) *1–51, Record, pp. 2041, 2046.* But this is not so in the case of a private bill. (675–681) *2–55, Record, pp. 2483, 2496.*

By offering a pro forma amendment in Committee of the Whole a Member does not lose the right to insist on his pending point of order. *2–57, Record, pp. 381–383.*

Under the rule relating to the consideration of subjects in Committee of the Whole, a point of order is good at any time before the consideration of the bill has commenced. (764) *Rule XXIII, section 3.*

COMMITTEE OF THE WHOLE—Continued.

(*e*) ***Points of order***—Continued.

In Committee of the Whole points of order against the germaneness of a section of a bill are made when the bill is read in sections. *1-59, Record, pp. 6854, 6855.*

The reading of a bill by paragraphs being completed in Committee of the Whole, it was held to be too late to make a point of order in committee against the title. *2-56, Record, p. 2708.*

(*f*) ***Practice in—Rules, rising, etc.***

The rules of proceeding in the House are observed in Committee of the Whole, so far as they may be applicable. (726) *Rule XXIII, section 8.*

The Chairman of the Committee of the Whole may administer oaths to witnesses in any case under its examination. (724, footnote) *Revised Statutes, section 101.*

It is not necessary that there be a quorum on the vote that the Committee of the Whole rise. (752) *1-35, Journal, pp. 814, 822, Globe, p. 2141.*

A motion that the Committee of the Whole rise is not debatable. *2-56, Record, p. 2492.*

At an informal rising of the Committee of the Whole a message from the President of the United States may be laid before the House only by unanimous consent. *1-57, Record, p. 6746.*

In Committee of the Whole the simple motion that the committee rise has precedence of the motion to amend. *1-57, Record, p. 6426.*

In Committee of the Whole motions to amend have precedence of the motion to rise and report. *2-56, Record, pp. 1200-1202; 1-57, Record, pp. 6777, 6778.*

A motion that the Committee of the Whole rise is not in order while a Member has the floor in debate. *2-56, Record, p. 2491.*

Tellers having been ordered and appointed, it is not in order to move that the Committee of the Whole rise until the vote has been announced. (757, 1147) *1-51, Record, p. 5315; 2-55, Record, p. 605.*

In Committee of the Whole a motion that the committee rise may not be made until a demand for tellers on the pending question has been disposed of. *2-58, Record, pp. 2709, 2710; 1-59, Record, p. 3301.*

The Committee of the Whole being in session when the hour arrives for the next regular meeting of the House, it rests with the committee to determine whether or not it will rise. (1506, 1507) *1-24, Globe, p. 434; 1-26, Globe, p. 285.*

COMMITTEE OF THE WHOLE—Continued.

(*f*) ***Practice in—Rules, rising, etc.***—Continued.

The hour previously fixed for the adjournment of the House arriving while the Committee of the Whole is still in session, the Chairman may direct the committee to rise and make his report as though the committee had risen on motion in the regular way. (758) *1-54, Record, p. 3062.*

Instance wherein the House, by unanimous consent, permitted the Committee of the Whole to take a recess. *2-59, Record, p. 4033.*

It is for the House and not for the Chairman of the Committee of the Whole to determine the privileges of a Member under a general leave to print in the Record. *3-55, Record, p. 2316.*

The Committee of the Whole has no control over the Congressional Record. *2-56, Record, p. 2285.*

General leave to print may be granted only by the House, although in Committee of the Whole a Member, by unanimous consent, is sometimes given leave to extend his remarks. *1-57, Record, p. 6052.*

The motion that the Committee of the Whole rise may be withdrawn at any time before the decision thereon is announced. (930) *1-31, Globe, p. 318.*

(*g*) ***Practice in—Consideration of bills.***

Appropriation and revenue bill are considered in Committee of the Whole by paragraphs, other bills by sections. *1-59, Record, pp. 4362-4365.*

When a bill is taken up in Committee of the Whole its reading in full may be demanded, although it has just been read in the House. (468) *2-54, Record, p. 1660.*

Where a bill is being considered by clauses or sections, and the committee has passed a particular clause or section, it is not in order to recur thereto. (727, 728) *2-32, Globe, p. 730; 2-35, Globe, p. 1422.*

In consideration, under the five-minute rule, a paragraph is not passed until the next one is read, although the Committee of the Whole may in the meantime have risen. *1-59, Record, pp. 6519, 6520.*

The reading of a bill for amendment being concluded in Committee of the Whole, and a motion to rise being negatived, a motion to return to a particular portion of the bill was offered and admitted. *3-58, Record, pp. 3576, 3577.*

An amendment to insert in a bill a new section having been presented and debated before an opportunity was given to amend the section last read, the chairman held that it was in order to recur to the latter section. *3-55, Record, p. 719.*

COMMITTEE OF THE WHOLE—Continued.

(*g*) ***Practice in—Consideration of bills.***—Continued.

Before general debate is closed in Committee of the Whole it is not in order to move that the committee rise and report the bill if any Member demands the right to amend. (729) *3-46, Record, pp. 1434, 1435.*

In Committee of the Whole amendments are not in order until general debate has been closed. *2-56, Record, p. 1197.*

In Committee of the Whole, under the five-minute rule, the right to explain or oppose an amendment has precedence over a motion to amend it. *1-59, Record, pp. 4500-4504.*

A motion to report a bill with a recommendation of recommittal is not in order in Committee of the Whole until the bill has been read for amendment. *2-56, Record, p. 996.*

In Committee of the Whole the motion to report with a favorable recommendation has precedence of the motion to report with an unfavorable recommendation, and the negative of the former motion is not equivalent to the affirmative of the latter. (746) *1-54, Record, p. 1742.*

The motion in Committee of the Whole that a bill be laid aside with a favorable recommendation is not amendable, but may be displaced by a preferential motion. *1-59, Record, p. 5748.*

Bills in Committee of the Whole may be reported with the recommendation that they be postponed or referred, and the latter recommendation has precedence over the recommendation that the bill do pass. (741, 745) *1-54, Record, p. 889; 2-55, Record, p. 843; 1-59, Record, pp. 7089-7091.*

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of the recommendations that it be postponed to a day certain or be recommitted to a standing committee. (747) *2-55, Record, pp. 3923, 3924.*

Before the reading of a bill for amendments has been concluded in Committee of the Whole it is not in order to move that the committee rise and report the bill favorably. (730) *2-55, Record, p. 2737.*

A bill may not be laid aside with a favorable recommendation in Committee of the Whole until the reading for amendments is completed. *3-55, Record, p. 867.*

In Committee of the Whole the motion that a bill be laid aside with a favorable recommendation is not debatable. *1-59, Record, p. 5748.*

Reading of a bill for amendments being concluded in Committee of the Whole, motions ordering it to be reported are not debatable. *1-59, Record, pp. 7089-7091.*

COMMITTEE OF THE WHOLE—Continued.

(*g*) ***Practice in—Consideration of bills***—Continued.

In Committee of the Whole motions to amend have precedence of the motion to rise and report. *2-58, Record, p. 2440.*

In considering a bill for amendment under the five-minute rule, it is in order to return to a paragraph already passed only by unanimous consent. *2-58, Record, p. 4072.*

A motion to discharge the Committee of the Whole from the consideration of a measure which has not been concluded in committee is not in order. (731) *2-45, Journal, p. 619.*

A motion to lay a bill aside with a favorable recommendation in Committee of the Whole being decided in the negative the bill, in the absence of further action, goes back to its place on the Calendar. *2-56, Record, p. 1479; 1-59, Record, p. 3302.*

As to the motions in order when a bill again comes up in Committee of the Whole after the committee has refused to report it either favorably or unfavorably. *1-59, Record, pp. 3301, 3302, 7089-7091.*

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered under the five-minute rule, the substitute may be moved to the first paragraph, accompanied by a notice that motions will be made to strike out the other paragraphs as they are reached. (1103) *2-46, Record, p. 3093.*

During consideration of a bill by paragraphs in Committee of the Whole a substitute was offered before all the paragraphs had been read, and as no further amendments had been or were now proposed to the text of the bill, and as the substitute had been debated, it was held to be in order to vote on the substitute. (1105) *2-49, Record, p. 1059.*

A Senate bill with a proposed committee amendment in the nature of a substitute being under consideration in Committee of the Whole, the bill was first read by sections for amendment, and then the substitute was perfected. *1-57, Record, pp. 6419-6420.*

Senate amendments considered in Committee of the Whole are each subject to general debate and amendment under the five-minute rule. *2-58, Record, p. 1732.*

(*h*) ***Practice in—Votes and motions.***

In the Committee of the Whole, where the quorum is one hundred, twenty may order tellers. (1144) *1-51, Record, pp. 4784, 4786.*

The yeas and nays may not be taken in Committee of the Whole. (742, 743) *1-26, Globe, p. 285; 1-28, Globe, p. 618.*

COMMITTEE OF THE WHOLE—Continued.

(*h*) ***Practice in—Votes and motions***—Continued.

The motions to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. (744) *Jefferson's Manual, Sections XII, XXVI, pp. 148, 168; 2-56, Record, p. 2171; 1-57, Record, p. 4594.*

The Committee of the Whole does not take a recess. (1481, footnote.)

The motion to lay on the table is not in order in Committee of the Whole. *1-57, Record, p. 2588.*

It is not in order for the Committee of the Whole to arrange for a yea-and-nay vote to be taken in the House. (756) *2-51, Record, p. 3270.*

A bill which has been read in Committee of the Wholo and reported favorably therefrom is not read in full again when acted on by the House. *3-55, Record, p. 2581.*

Authority for a standing committee to amend its report and have a reprint made as amended may not be granted by Committee of the Whole, although such report may be before it for consideration. (736) *2-54, Record, p. 576.*

The House, but not the Committee of the Whole, may, by unanimous consent, discharge a standing committee from the consideration of a bill. *1-57, Record, pp. 2256-2259.*

The rule relating to admission to the privileges of the floor applies to the Committee of the Whole and its chairman as well as to the House and the Speaker. (1744) *2-53, Journal, p. 90, Record, p. 840.*

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. (1282) *1-55, Record, p. 352.*

The reading of a bill for amendment in Committee of the Whole being concluded, a motion to strike out the enacting clause is not in order. *1-59, Record, pp. 7089-7091.*

The motion to strike out the enacting clause applies in Committee of the Whole. *1-56, Record, p. 4887.*

In Committee of the Whole a motion to strike out the enacting clause is debatable five minutes on either side. *1-57, Record, p. 6567.*

The motion to strike out the enacting clause may not be made until the first section of the bill has been read. *1-57, Record, p. 5336.*

A bill being under consideration by paragraphs, a motion to strike out was held to apply only to the paragraphs under consideration. *1-56, Record, p. 5981.*

(*i*) ***Informal rising of.***

A message being announced while the Committee of the Whole is in session, the Speaker takes the chair to receive it. (759, 1449) *Jefferson's Manual, Section XII, p. 148.*

COMMITTEE OF THE WHOLE—Continued.

(*i*) ***Informal rising of***—Continued.

Sometimes on the informal rising of the Committee of the Whole the House by unanimous consent transacts business, such as the presentation of enrolled bills, the swearing in of a Member, or the voting on some proposition involved in a message just received. (760–763) *2–35, Globe, p. 1417; 2–46, Record, p. 3028; 1–54, Record, pp. 5249, 5270, 5532; 1–55, Record, p. 547.*

(*j*) ***Subjects considered in.***

All propositions involving a tax or charge on the people, or parting with money or property of the Government, releasing liability to the Government, or referring any claim to the Court of Claims, are considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

Under the latest ruling a bill for the adjudication and payment of claims requires consideration in Committee of the Whole. *3–58, Record, pp. 282, 283.*

Senate amendments to House bills must be considered in Committee of the Whole if they are such as, originating in the House, would be subject to that point. (765) *Rule XX.*

An amendment to a Senate amendment providing an appropriation for another purpose than that of the Senate amendment requires to be considered in Committee of the Whole, and the House may at once go into committee for that purpose. (769) *2–48, Record, pp. 2421–2423.*

A bill increasing the rate of postage has been held to affect the revenues, and therefore to require consideration in Committee of the Whole. *2–56, Journal, p. 22, Record, pp. 50–52.*

A bill extending the time of a railroad land grant is required under the rule to be considered in Committee of the Whole. (766) *2–44, Journal, p. 293, Record, p. 924.*

A bill creating a new office requires consideration in Committee of the Whole. (767) *2–46, Journal, p. 217.*

A bill increasing the number of officers in a branch of the Government service should be considered in Committee of the Whole. (770) *1–51, Journal, p. 326, Record, p. 2093.*

A bill increasing the number of cadets in the Military or Naval Academy should be considered in Committee of the Whole. (775) *3–53, Journal, p. 66, Record, p. 1037.*

A bill which sets in motion a train of circumstances destined ultimately to involve certain expenditures must be considered in Committee of the Whole. *3–58, Record, p. 165.*

COMMITTEE OF THE WHOLE—Continued.

(*j*) ***Subjects considered in***—Continued.

A provision increasing the number of persons who would be entitled to receive pensions should receive consideration in Committee of the Whole. (768) *1-48, Journal, p. 1657.*

A resolution providing for the distribution of rations among the sufferers from a flood was decided to be within the rule requiring consideration in Committee of the Whole. (771) *1-51, Journal, p. 520, Record, p. 3822.*

The grant to a railroad of an easement of public lands or streets belonging to the United States requires to be considered in Committee of the Whole. (772-774) *1-51, Journal, p. 718, Record, p. 5842; 1-52, Journal, p. 237; 2-53, Journal, p. 15, Record, p. 36.*

The dedication of public land to be forever used as a public park was held to be such an appropriation of public property as would come within the rule. (776) *2-54, Record, pp. 2215, 2216; 1-57, Record, p. 2804.*

A provision placing liability on the United States and the District of Columbia jointly was held to require consideration in Committee of the Whole. *1-59, Record, p. 4955.*

A bill reported to the House for printing, and recommitted, is, when reported for consideration, subject to the point of order that it must be considered in Committee of the Whole. (999) *1-51, Journal, p. 830, Record, pp. 701, 5441.*

(*k*) ***Subjects not considered in.***

A bill must show with certainty on its face that an expenditure of money or property, etc., will be required before it can be held to be within the rule providing for consideration in Committee of the Whole. (786-792) *1-48, Journal, pp. 1247, 1248, Record, pp. 4248, 4257; 1-49, Journal, p. 1373, Record, pp. 3808, 3809; 2-54, Record, p. 2459; 2-51, Journal, pp. 30, 110, 235, Record, pp. 180, 1039; 2-54, Record, p. 2270.*

A bill which possibly might bring a charge upon the Treasury, but need not necessarily do so, was held not to require consideration in Committee of the Whole. (784) *1-52, Journal, pp. 311, 312; 1-56, Record, pp. 1057, 1658, Journal, p. 242.*

Where the expenditure is a mere matter of speculation, the rule requiring consideration in Committee of the Whole does not apply. (779) *2-54, Record, pp. 2477, 2579, 2580; 3-58, Record, pp. 285, 286.*

A bill that may incidentally involve expense to the Government, but does not require it, is not subject to the point of order that it must be considered in Committee of the Whole. (778) *1-44, Journal, p. 1333.*

COMMITTEE OF THE WHOLE—Continued.

(*k*) ***Subjects not considered in***—Continued.

A Senate amendment which is a modification merely of a House proposition, like the increase or decrease of an amount, etc., and does not involve new and distinct expenditure, is not required to be considered in Committee of the Whole. (1324–1326, 1330–1332) *2–54, Record, p. 1253; 1–51, Journal, pp. 1046, 1087, Record, pp. 10111, 10490; 2–51, Journal, pp. 234, 333, Record, pp. 2506, 3606–3608; 1–54, Record, pp. 5564, 5565; 1–57, Record, p. 2186; 2–57, Journal, p. 137, Record, p. 965; 3–58, Record, p. 725.*

A bill providing for an expenditure which is to be borne otherwise than by the Government is not required to be placed on a calendar of the Committee of the Whole. *1–56, Record, pp. 1655, 1656.*

It being merely a matter of argument as to whether or not an appropriation would be required by proposed legislation, it was held that the subject need not be considered in Committee of the Whole. (801) *1–55, Record, p. 1737.*

A bill changing the manner of expenditure of money already appropriated does not require consideration in Committee of the Whole. (777) *2–45, Journal, p. 782, Record, p. 2203.*

When a bill in Committee of the Whole is made a special order, the effect of the order is to bring the bill into the House for consideration. (1307) *2–49, Record, p. 42.*

A bill being made a special order, the requirement that it shall be considered in Committee of the Whole is waived. (782, 1268, 1301–1306) *1–51, Journal, pp. 260, 388, Record, pp. 1551, 2663, 2664; 1–47, Journal, p. 1540, Record, p. 5349; 3–45, Journal, pp. 241, 242, Record, p. 608; 2–47, Journal, pp. 162, 163, 181, Record, pp. 859, 860, 925, 926; 1–54, Record, p. 4530; 2–55, Record, p. 3620; 1–57, Record, p. 6961.*

The most recent decisions are that resolutions appropriating from the contingent fund need not be considered in Committee of the Whole, but earlier decisions are the other way. (1728–1733) *2–50, Record, pp. 356, 357; 1–52, Journal, p. 345, Record, p. 6945; 2–52, Journal, p. 126, Record, p. 2431; 1–51, Journal, p. 87, Record, p. 376; 2–51, Journal, p. 216, Record, p. 2199; 2–54, Record, p. 271.*

A report from the Committee on Printing relating to printing for the use of the two Houses does not require consideration in Committee of the Whole. (1747) *1–47, Journal, p. 1728, Record, p. 6481.*

A bill admitting a class of claims to the Court of Claims for examination and report, but leaving Congress free as to final action in regard to payment, was held not to require consideration in Committee of the Whole. (797) *2–48, Journal, p. 260, Record, pp. 696, 697.*

COMMITTEE OF THE WHOLE—Continued.

(*k*) ***Subjects not considered in***—Continued.

Legislation providing for the adjustment of liabilities to or by the Government (except reference to the Court of Claims) does not, under the rule, require consideration in Committee of the Whole. (795, 796) *1-51, Journal, pp. 972, 1104, Record, pp. 8881, 8882, 10690; 1-56, Record, p. 2455.* But under the latest ruling, bills for the adjudication and payment of claims require consideration in Committee of the Whole. *3-58, Record, pp. 282, 283.*

The tax upon the circulation of national banks and State taxation of Federal currency have been held not to be a tax upon the people within the meaning of the rule. (793, 794) *1-38, Journal, p. 537, Globe, p. 1680; 2-53, Journal, p. 467, Record, p. 7140.*

A resolution to dispose of certain funds in the hands of the receiver of the Mormon Church of Utah was held not to be required to be considered in Committee of the Whole. (785) *1-53, Journal, p. 127.*

A bill authorizing the issue of ordnance and ordnance stores for the use of an educational institution was held not subject to the point of order that it should be considered in Committee of the Whole (783) *2-51, Journal, p. 107, Record, p. 996.*

A bill simply granting a right of way through public lands was held not to be subject to the point of order that it must be considered in Committee of the Whole. (781) *1-51, Journal, p. 337, Record, pp. 2165, 2166.* See, however, (774) *2-53, Journal, p. 15, Record, p. 36.*

Lands belonging to the Indians having been sold by the Government for the Indians, a bill extending the time of payment by purchasers, and authorizing them to purchase additional lands of the same kind, was held not to be within the rule requiring consideration in Committee of the Whole. (780) *1-51, Journal, p. 948, Record, p. 8483.*

A bill which has been considered in Committee of the Whole, and then by the House has been recommitted to a standing committee, is not, when again reported to the House, necessarily subject to the point of order that it must be considered in Committee of the Whole. (799, 800) *1-50, Record, p. 4793; 1-54, Record, p. 3781.*

A bill may be recommitted with instructions that it be reported "forthwith," and this report may be made at once by the chairman of the committee, and is not subject to the point that it must be considered in Committee of the Whole if it has previously been considered there. (1022) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508.*

A bill which had been considered in Committee of the Whole, and had been recommitted with instructions to strike out a clause, was held not subject to the point that it should go to the Committee of the Whole when again reported. (996) *1-49, Journal, pp. 2168-2170; Record, pp. 6757, 6758.*

COMMITTEE OF THE WHOLE—Continued.

(*l*) ***General provisions.***

If a Senate bill be such as to require consideration in Committee of the Whole, it may not be taken from the Speaker's table for consideration. (362-365) *1-51, Journal, p. 726, Record, p. 5907; 1-51, Journal, p. 951, Record, p. 8527; 2-51, Journal, p. 241, Record, p. 2623; 2-52, Journal, p. 52, Record, p. 717.*

The fact that an amendment has been offered and rejected in the Committee of the Whole does not prevent the same amendment from being offered again when the bill comes up in the House. (1111) *1-54, Record, p. 2710; 1-57, Record, p. 1659.*

A bill which may be reported at any time has the same privilege in regard to consideration in Committee of the Whole. (402) *2-53, Journal, p. 145.*

It is not in order to move in the House to postpone the consideration of a bill which is still in Committee of the Whole. (441) *1-52, Journal, p. 318, Record, pp. 6591, 6592.*

Under former rule 104 it was decided that a motion to discharge the Committee of the Whole from the consideration of a measure which had been partly considered in that committee was not a privileged motion. (440) *2-45, Journal, p. 619, Record, p. 1601.*

A conference report may not be referred to the Committee of the Whole, although in the earlier history of the House this was sometimes done. (1410, 1411) *2-27, Journal, p. 1248, Globe, p. 868; 1-49, Journal, p. 2515, Record, p. 7932.*

The fact that one of several Senate amendments must be considered in Committee of the Whole does not prevent the House from proceeding with the disposition of those not subject to the point of order. (1333) *1-48, Record, pp. 5981, 5985.*

In Committee of the Whole a Senate amendment, even though it be very long, is considered as an entirety and not by paragraphs or sections. *1-57, Record, p. 4530.*

When a House bill with Senate amendments is committed to the Committee of the Whole that committee considers only the amendments. *1-57, Record, pp. 4585, 4586.*

Senate amendments referred to the Committee of the Whole must be considered, although they may not be within the rule requiring such consideration. *1-57, Record, p. 4585.*

Pairs are not announced in Committee of the Whole. *1-56, Record, p. 4497.*

The Committee of the Whole has no authority to modify an order of the House. *1-56, Record, p. 555.*

COMMITTEE OF THE WHOLE—Continued.

(*m*) ***House as in Committee of the Whole.***

Sometimes, by unanimous consent, the House considers business as in Committee of the Whole. (802) *Jefferson's Manual, Section XXX, pp. 171, 172.*

During consideration of a bill in the House as in Committee of the Whole an amendment may be withdrawn at any time before action has been had on it. (809) *2-55, Record, p. 2440.*

A bill being under consideration in the House as in Committee of the Whole, an amendment in the nature of a substitute is in order only after the consideration of the bill by sections has been completed. (807, 808) *2-53, Journal, pp. 350, 351, Record, p. 4002.*

A bill being under consideration in the House as in Committee of the Whole, a motion to recommit was decided to be in order, although the reading by sections had not been entered upon. (806) *1-52, Journal, pp. 31, 32, Record, pp. 303, 432; 1-56, Record, pp. 4822, 4823.*

During proceedings "in the House as in Committee of the Whole" the motion to close general debate is in order only in its simple form. *2-56, Record, p. 166.* But under the latest rulings, when a bill is considered in the House as in Committee of the Whole, it is considered under the five-minute rule, without general debate. *3-58, Record, p. 3673; 1-59, Record, p. 2682.*

While the House is acting as in Committee of the Whole the previous question, the yeas and nays, and the motion to adjourn are admissible, and messages are received. (802) *Jefferson's Manual, Section XXX, p. 172.*

While the House is proceeding as in Committee of the Whole the previous question may not be moved on a single section of a bill; but it has been decided that it may be moved on a motion to close debate on such section. (805) *2-48, Journal, p. 127, Record, pp. 333-334.*

During the consideration of a bill in the House as in Committee of the Whole the previous question may be demanded while members yet desire to offer amendments. (803, 804) *2-44, Record, p. 1321; 1-49, Journal, p. 1412, Record, p. 3893; 3-58, Record, p. 2499.*

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. *1-59, Record, p. 2693.*

COMPENSATION. See "Pay" and "Mileage."

COMPTROLLER.

The Comptroller of the Treasury has no jurisdiction over accounts approved by the Temporary Committee on Accounts. (1735) *Decisions of Comptroller (Bowler), Vol. II, p. 24.*

CONCERTS.

Concerts held on Capitol grounds under direction of the Superintendent of the Capitol Building and Grounds. *31 Stat. L., p. 613.*

CONCUR, MOTION TO.

See "Agree, motion to."

CONCURRENT RESOLUTIONS.

The use of joint and concurrent resolutions and the question of their approval by the President. (453) *2-54, Senate Report No. 1335.*

Correction of an enrolled bill by concurrent resolution. *2-56, Record, p. 2145.*

Joint committees should be authorized by concurrent, and not by joint resolutions. *2-56, Journal, p. 123, Record, pp. 1103-1106.*

By concurrent resolution conferees are sometimes authorized to include in their report subjects not in issue between the two Houses. *2-56, Record, pp. 3455-3459.*

CONFEREES.

(*a*) *Appointment of.*
(*b*) *Instruction of.*
(*c*) *General provisions relating to.*
(*d*) *Limitations on the powers of.*

(*a*) ***Appointment of.***

Select and conference committees are appointed by the Speaker under the rule. (605) *Rule X, section 2.*

A conference committee is practically two distinct committees, each of which acts by a majority. (1401) *1-29, Globe, p. 1179.*

In a case of prolonged disagreement new conferees were formerly appointed at each conference. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.* But such is not the present practice. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

Principles governing the selection of conference committees on the part of the House. (1383.)

Conferees are selected to represent the opinions as well as the majority and minority divisions of the House. *1-56, Record, p. 6303.*

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. *1-57, Record, pp. 6118, 6119.*

On important measures one House has appointed five conferees, although the other named but three. *1-57, Record, pp. 7524, 7525, Journal, pp. 859, 860; 2-57, Journal, p. 339, Record, pp. 2868, 2949; 3-58, Record, pp. 805, 806, 826.*

CONFEREES—Continued.

(*a*) ***Appointment of***—Continued.

The motion of the Member in charge of the bill as to the disposition of a Senate amendment being disagreed to, and a conference being asked, the conferees were so selected as to represent the attitude of the House. *1-57, Journal, pp. 873, 874, Record, pp. 7607, 7608.*

A Member at whose suggestion the report of a committee of which he was not a member was modified was appointed a conferee when the question came to a conference. *2-56, Journal, p. 144, Record, p. 1316.*

The absence of a manager of a conference causes a vacancy which the Speaker fills by appointment. *2-57, Journal, pp. 224, 226, Record, pp. 1971, 2001.*

One House having made a change in a committee of conference, the other is notified by a message. *1-56, Record, pp. 5223, 5668, Journal, pp. 573, 591; 1-59, Record, p. 7627.*

Conferees are sometimes appointed during an informal rising of the Committee of the Whole. (760, footnote) *2-35, Globe, p. 1417; 1-51, Record, pp. 7774, 10350; 1-55, Record, p. 507.*

Conferees having been appointed, it is too late to reconsider the vote whereby the House has disagreed to a Senate amendment. (1205) *1-54, Record, p. 6360.*

(*b*) ***Instruction of.***

It is in order to instruct conferees, and the resolution of instruction should be offered after the House has voted to insist and ask a conference and before the conferees have been appointed. (1376–1379) *1-49, Record, pp. 7404, 7405, 7598; 2-54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

Conferees having made a report which was disagreed to by the House as being in violation of their instructions, and a new conference having been requested, the Speaker appointed new conferees. *1-56, Record, pp. 6848–6856.*

It is not the practice of the House to instruct conferees in the first instance. (1380) *2-51, Journal, p. 333, Record, pp. 3610, 3611.*

The House having instructed its conferees in the first instance and having informed the Senate by message of the instructions, the latter body objected to the instructions, and to the transmittal of them by message. *1-57, Journal, p. 725, Record, pp. 5686, 5689, 5696, 5844, 5850, 5956, 5958.*

The House having instructed its conferees at a second conference, and having by message informed the Senate of the instructions, that body agreed to the conference, although there was protest at the message. *1-57, Journal, pp. 701–713, Record, pp. 5363, 5364, 5371, 5404, 5407, 5567, 5619; 2-57, Journal, p. 278, Record, pp. 2506, 2519, 2522.*

CONFEREES—Continued.

(*b*) ***Instruction of***—Continued.

The House having asked for a free conference, it is not in order to instruct the conferees. (1381) *2-51, Journal, p. 358, Record, pp. 3747, 3768, 3771.*

It is not in order to give such instructions to conferees as would require changes in the text to which both Houses have agreed. (1380) *2-51, Journal, p. 333, Record, pp. 3610, 3611.*

A special order requiring the Speaker to appoint conferees immediately after the vote of disagreement, a motion to instruct was not admitted. *1-59, Record, pp. 4122-4128.*

The motion to instruct conferees is amendable. (1390) *1-51, Journal, p. 735, Record, p. 5981.*

At a new conference the instructions of a former conference are not in force. *1-57, Record, p. 5567, Journal, p. 713.*

A conference report may be received, although it may be in violation of instructions given to the conferees. (1382) *1-49, Journal, p. 2459, Record, p. 7826.*

It is questionable whether a Committee of the Whole may recommend instructions to conferees. (751) *1-55, Record, pp. 833, 840.*

(*c*) ***General provisions relating to.***

Where a conference committee is unable to agree, or where a report is disagreed to, another conference is usually asked for and agreed to. (1384-1388) *1-34, Journal, pp. 919, 943; 3-34, Journal, pp. 653, 655, 663; 1-35, Journal, pp. 1105, 1106, 1118, 1136, Globe, pp. 3026, 3030, 3045.*

When conferees report that they have been unable to agree, the report is not acted on by the House. *3-55, Record, p. 2144.*

An instance where the majority of the conferees of one body declined to sign a report that the conferees had been unable to agree. *2-56, Record, pp. 3490-3492, 3496, 3508.*

A conference committee may report agreement as to some of the matters of difference, but inability to agree as to others. (1392) *1-29, Journal, p. 1302, Globe, p. 1222.*

While a conference asked by the House was in progress on the House's disagreement to Senate amendment, by a special order the House discharged its conferees, receded from its disagreement, and agreed to the amendments. (1373) *2-53, Journal, pp. 563, 564, Record, pp. 8469, 8470.* But a motion to discharge conferees is not privileged. *1-59, Record, pp. 7788, 7789.*

Two of three House conferees being present, the Senate conferees declined to proceed in the absence of the third House conferee, whereupon the House conferees retired from the conference. *2-56, Record, p. 3585.*

CONFEREES—Continued.

(*c*) ***General provisions relating to***—Continued.

Although the House conferees usually sign the statement accompanying a conference report, there is no rule requiring it. *2-56, Record, p. 3578.*

(*d*) ***Limitations on powers of.***

Conferees may not include in their report matter not committed to them by either House. (1414–1417) *1-12, Journal, p. 383; 1-42, Journal, pp. 190, 191, Globe, p. 796; 2-52, Journal, pp. 137-139, Record, pp. 2573-2578; 2-55, Record, p. 4514; 2-56, Journal, p. 271, Record, pp. 3002-3004.*

The managers of a conference must confine themselves strictly to the differences committed to them. *2-58, Journal, pp. 404, 523, 524, Record, pp. 2931, 2932, 2994, 4110, 4111.*

Managers of a conference may not change text to which both Houses have agreed. *2-58, Journal, p. 404, Record, pp. 2931, 2932, 2994.*

A Senate amendment having provided an appropriation to construct a road, and conferees having reported in lieu thereof a provision for a survey, it was held that the provision was within the differences. *2-58, Journal, p. 622, Record, pp. 5022, 5023.*

A conference committee may not include in its report new items, even though germane to question in issue. *1-57, Journal, p. 701, Record, pp. 5365, 5368.*

By concurrent resolution conferees are sometimes authorized to include in their report subjects not in issue between the two Houses. *2-56, Record, p. 3455-3459.*

CONFERENCE.

(*a*) *General provisions relating to.*
(*b*) *Papers in.*
(*c*) *Request for.*
(*d*) *Committees of.* See "Conferees."
(*e*) *Report of committee of.* See "Conference reports."
(*f*) *Adherence, relations to.* See "Adhere."

(*a*) ***General provisions relating to.***

The parliamentary law relating to conferences. (1366) *Jefferson's Manual, Section XLVI, p. 207.*

An illustration of amendments between the House, disagreement, and final settlement by conference. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

A difference arising between the House and Senate as to the instruction of conferees, a distinct conference was asked, and granted on the subject of difference. *1-57, Journal, p. 725, Record, pp. 5689, 5696, 5956, 5958.*

CONFERENCE—Continued.

(*a*) ***General provisions relating to***—Continued.

A conference may be had on only a portion of the amendments in disagreement, leaving the differences as to the remainder to be settled by the action of the two Houses themselves. *1-57, Record, pp. 7113, 7195, 7197, Journal, p. 833.*

Anything in a bill agreed to by both Houses may not be stricken out at a conference. (1321) *Jefferson's Manual, Section XLV, p. 206.*

The rejection of a conference report leaves the matter in the position it occupied before the conference was asked. (1390) *1-51, Journal, p. 735, Record, p. 5981.*

A bill and amendments having once been sent to conference, do not, upon the rejection of the conference report, return to their former state, so that the amendments may be sent to the Committee of the Whole. (1389) *1-54, Record, pp. 5532, 5533.*

While a conference asked by the House was in progress on the House's disagreement to Senate amendments, by a special order the House discharged its conferees, receded from its disagreement, and agreed to the amendments. (1373) *2-53, Journal, pp. 563, 564, Record, pp. 8469, 8470.*

The conference on a disagreement as to Senate amendments to a House bill having failed, the Senate reconsidered its action in amending and passing the bill, passed it with a new amendment, and asked a new conference. *3-55, Record, pp. 317, 439, 628, 631, 2303, 2360, 2362, 2770, Journal of House, pp. 42, 72, 200, 205, 251.*

An instance where the majority of the conferees of one body declined to sign a report that the conferees had been unable to agree. *2-56, Record, pp. 3490-3492, 3496, 3508.*

Two of three House conferees being present, the Senate conferees declined to proceed in the absence of the third House conferee, whereupon the House conferees retired from the conference. *2-56, Record, p. 3585.*

A conference committee may continue through the recess between two sessions of the same Congress. *1-57, Journal, p. 818; 2-57, Journal, p. 16, Record, p. 42.*

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. *2-57, Journal, p. 16, Record, p. 42; 1-57, Journal, p. 875.*

(*b*) ***Papers in.***

In all cases of conference after a disagreement the papers are to be left by the House asking the conference with the House agreeing to it. (1366) *Jefferson's Manual, Section XLVI, p. 208.*

CONFERENCE—Continued.

(*c*) ***Request for.***

The request for a conference must always be made by the House in possession of the papers. (1366) *Jefferson's Manual, Section XLVI, p. 207.*

A committee of conference having disagreed, a motion for a new conference is privileged, but steps may not be taken in this direction until the House is in possession of the papers. (1372) *1-52, Journal, p. 229, Record, p. 5369.*

One House may disagree to the amendments of the other, leaving it for the latter House to ask for the conference, or may ask the conference as soon as the vote of disagreement is passed. (1368, 1369) *1-35, Journal, p. 711; 2-35, Journal, p. 564; 1-56, Record, pp. 6475, 6495, Journal, pp. 658, 663; 2-58, Record, pp. 5316, 5408, 5512, 5534, 5558; 1-59, Record, pp. 9172, 9195.*

The House having requested a conference and instructed its conferees, the Senate ignored the request of the House, insisted on its amendments, and asked "a full and free conference." *1-57, Record, pp. 7075, 7076.*

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. *2-56, Record, pp. 2257, 2258.*

The motion to ask for a conference comes properly after the motion to disagree and insist. (1367) *1-29, Journal, pp. 695, 697, Globe, p. 701.*

The motion to insist and ask a conference has precedence of the motion to instruct conferees. (1376-1379) *1-49, Record, pp. 7404, 7405, 7598; 2-54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

A conference may be asked before there has been a disagreement. (1366) *Jefferson's Manual, Section XLVI, p. 208.*

The amending House may insist at once upon its amendment and ask for a conference. (1370) *2-42, Journal, pp. 1077, 1100, 1103, Globe, p. 4428.*

It is a practice quite common for one House to pass a bill of the other with amendments and ask a conference at once without waiting for disagreement. (1371) *2-51, Journal, p. 321, Record, p. 3512; 1-59, Record, p. 9195.*

Before the stage of disagreement has been reached the request of the other House for a conference gives the bill no privilege over other business of the House. (351, 1374, 1375) *2-50, Journal, p. 348, Record, pp. 1216-1220; 1-49, Record, pp. 7331, 7332; 2-54, Record, pp. 833, 834.*

CONFERENCE—Continued.

(*c*) ***Request for***—Continued.

Where a conference committee is unable to agree, or where a report is disagreed to, another conference is usually asked for and agreed to. (1384–1388) *1–34, Journal, pp. 919, 943; 1–35, Journal, pp. 1105, 1106, 1118, 1136, Globe, pp. 3026, 3030, 3045; 3–34, Journal, pp. 653, 655, 663.*

Instance wherein one House receded from its amendment to a bill of the other House although it had insisted and asked a conference, to which the other House had agreed. *1–59, Record, pp. 9087, 9147, 9149, 9152, 9246, 9275.*

Conferees having reported their inability to agree, a resolution insisting on the House's disagreement to the Senate amendments and asking a further conference was held to be privileged. (1356) *1–52, Journal, p. 230, Record, p. 5371.*

CONFERENCE COMMITTEES.

See "Conferees."

CONFERENCE REPORTS.

(*a*) *High privilege of.*
(*b*) *May not be amended, referred, or laid on the table.*
(*c*) *Must relate solely to matters committed to conferees.*
(*d*) *Accompanying statement.*
(*e*) *Consideration in the House.*
(*f*) *Signing, presentation, printing, etc.*

(*a*) ***High privilege of***—

A conference report is always in order, except when the Journal is being read, when the roll is being called, or when the House is dividing; and a statement must accompany each report. (1391) *Rule XXIX.*

A conference report may be presented after a motion to adjourn has been made or when a Member is occupying the floor for debate; but the report need not be disposed of before the motion to adjourn is put. (1393–1395) *2–50, Record, pp. 678, 683; 1–51, Journal, pp. 882, 904, Record, pp. 6941, 6942, 7880.*

A conference report is in order pending a demand for the previous question. *3–55, Record, p. 867.*

A conference report has been given precedence over a question of privilege. (1397) *1–51, Journal, p. 1082, Record, pp. 10444, 10445.* See, however, (100) *1–51, Journal, pp. 936, 937, Record, pp. 8373, 8375.*

CONFERENCE REPORTS—Continued.

(*a*) ***High privilege of***—Continued.

Any member of the majority may make the motion to reconsider, which takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

A conference report has been held in order even pending a motion for a call of the House, but it was not a casé where the absence of a quorum had been ascertained. (1391, footnote.) *Rule XXIX; 1-31, Journal, p. 1590.*

A conference report may be presented during the time set apart by a special order for the consideration of another measure. (1400) *1-55, Record, pp. 1396, 1397; 3-55, Record, p. 2589.*

A conference report may be presented after the vote by tellers and pending the question of ordering the yeas and nays. (1399) *1-54, Record, p. 5916.*

A conference report may be presented during a call of the House if a quorum be present. *2-57, Record, p. 2855.*

A conference report has precedence of the question on the reference of a bill, even though the yeas and nays had been ordered. (1398) *1-52, Journal, p. 263, Record, pp. 5774, 5802.*

The question on the adoption of a final conference report has precedence of a motion to recede and concur in amendments of the other House. *3-55, Record, p. 2927.*

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. *2-56, Record, p. 3594.*

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. *2-56, Journal, pp. 281, 282, Record, p. 3092.*

(*b*) ***May not be amended, referred, or laid on the table.***

A conference report may not be amended or altered. (1366) *Jefferson's Manual, Section XLVI, p. 208; 1-59, Record, p. 9082.*

A conference report must be acted on as a whole. *2-56, Record, p. 3084; 1-57, Record, p. 7595.*

It is not in order to recommit a conference report to the committee of conference when the report has already been acted on in the other House. (1412) *2-49, Record, p. 880; 1-57, Record, p. 7599.*

It is in order for one body to recommit a conference report if the other body, by action on the report, have not discharged their conferees. *2-58, Journal, p. 583, Record, pp. 4610, 4664, 4691, 4693; 1-59, Record, pp. 9475, 9546.*

CONFERENCE REPORTS—Continued.

(*b*) ***May not be amended, referred, or laid on the table***—**Continued.**

A conference report made first in the Senate and there recommitted and again reported was acted on by the House after the Senate had agreed to it. *3-55, Record, pp. 2823, 2842, 2843, 2923-2925.*

The House has formally discarded the old practice of allowing conference reports to be laid on the table. (1407-1409) *1-30, Journal, p. 1283, Globe, p. 1080; 2-42, Journal, p. 1129, Globe, p. 4460; 1-44, Journal, p. 1423.*

A conference report may not be referred to the Committee of the Whole, although in the earlier history of the House this was sometimes done. (1410, 1411) *2-27, Journal, p. 1248, Globe, p. 868; 1-49, Journal, p. 2515, Record, p. 7932.*

A conference report may not be referred to a standing committee. (1413) *2-55, Record, p. 4636.*

(*c*) ***Must relate solely to matters committed to conferees.***

Conferees may not include in their report matters not committed to them by either House. (1414-1417) *1-12, Journal, p. 383; 1-42, Journal, pp. 190, 191, Globe, p. 796; 2-52, Journal, pp. 137-139, Record, pp. 2573-2578; 2-55, Record, 4514; 2-56, Journal, p. 271, Record, pp. 3002-3004.*

The managers of a conference must confine themselves strictly to the differences committed to them. *2-58, Journal, pp. 404, 523, 524, Record, pp. 2931, 2932, 2994, 4110, 4111.*

Managers of a conference may not change text to which both Houses have agreed. *2-58, Journal, p. 404, Record, pp. 2931, 2932, 2994; 2-59, Record, p. 4483.*

A Senate amendment having provided an appropriation to construct a road, and conferees having reported in lieu thereof a provision for a survey, it was held that the provision was within the differences. *2-58, Journal, p. 622, Record, pp. 5022, 5023.*

A conference committee may not include in its report new items even though germane to question in issue. *1-57, Journal, p. 701, Record, pp. 5365-5368.*

Where the disagreement is as to an amendment in the nature of a substitute for the entire text of a bill, the managers have the whole subject before them and may exercise a broad discretion as to details. *2-59, Record, pp. 3210-3220.*

A point of order against a conference report should be made or reserved after the report is read and before the reading of the statement. *1-57, Record, p. 5366; 2-59, Record, pp. 3210-3220.*

CONFERENCE REPORTS—Continued.

(*c*) ***Must relate solely to matters committed to conferees***—Continued.

By concurrent resolution conferees are sometimes authorized to include in their report subjects not in issue between the two Houses. *2-56, Record, pp. 3455-3459; 1-57, Record, pp. 6449, 6450, 6974; 1-59, Record, pp. 4023-4027, 4076, 5122, 5235.*

When a conference report is ruled out on a point of order it is equivalent to a negative vote on the report, and the Senate is informed by message that the House has "disagreed" to the report. (1417) *2-55, Record, p. 4514; 1-57, Record, pp. 5365, 6368.*

(*d*) ***Accompanying statement.***

A conference report may not be received if no statement accompanies it. (1391, 1404-1406) *Rule XXIX; 2-51, Journal, p. 75; 1-54, Record, p. 5865; 2-54, Record, p. 1412; 1-57, Record, p. 4973.*

Whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule is a question for the House and not the Speaker to determine. (1402, 1403) *2-49, Record, p. 2437; 3-53, Journal, pp. 15, 16.*

Although the House conferees usually sign the statement accompanying a conference report, there is no rule except long usage requiring it. *2-56, Record, p. 3578.*

(*e*) ***Consideration in the House.***

It is not in order to demand the reading of the engrossed copy of a bill which is presented as the subject of a conference report. (472, footnote) *1-44, Journal, p. 1423; 1-52, Record, p. 4586; 1-54, Record, p. 3540.*

A conference report may not be considered when the original bill and amendments are not before the House. *1-57, Record, p. 7433; 1-59, Record, p. 8486.*

The previous question may not be applied both to the question of agreeing to a conference report and to the question of asking a further conference on amendments yet in disagreement. (963) *2-51, Journal, p. 346, Record, p. 3711.*

The consideration of a conference report may be interrupted by the arrival of the hour previously fixed for a recess. (1396) *1-51, Journal, p. 720, Record, p. 5861.*

A conference report may be received although it may be in violation of instructions given to the conferees. (1382) *1-49, Journal, p. 2459, Record, p. 7826.*

A conference report having been agreed to, it is too late to raise, as a matter of privilege, a question as to whether or not the managers have exceeded their authority. *1-57, Record, pp. 2527, 2528.*

CONFERENCE REPORTS—Continued.

(*e*) ***Consideration in the House***—Continued.

A conference report being disagreed to, the amendments of the other House then come up for action. *3–58, Record, pp. 1597, 1598.*

Instance wherein the House, after disagreeing to a conference report already agreed to by the Senate, laid on the table a House bill with Senate amendments. *1–59, Record, p. 7119.*

When conferees report that they have been unable to agree the report is not acted on by the House. *3–55, Record, p. 2144.*

The previous question having been ordered on a conference report, it was held that the proposition was not such as was contemplated by the rule allowing forty minutes for debate. *3–55, Record, p. 2188.*

A conference report being presented, the question on agreeing to it is regarded as pending, and the motion to disagree is not admitted. *1–56, Record, p. 6712; 3–58, Record, pp. 1597, 1598.*

Points of order against a conference report should be made or reserved before a discussion begins. *2–56, Record, p. 3163.*

(*f*) ***Signing, presentation, printing, etc.***

An instance where the majority of the conferees of one body declined to sign a report that the conferees had been unable to agree. *2–56, Record, pp. 3490–3492, 3496, 3508.*

Sometimes a manager indorses the conference report with a conditional approval or dissent. *2–58, Record, p. 5538.*

The name of an absent manager may not be affixed to a conference report; but the House and Senate may authorize him to sign the report after it has been acted on. *2–59, Record, pp. 3449–3456.*

The report is made first in the House agreeing to the conference. (1366) *Jefferson's Manual, Section XLVI, pp. 208, 209.*

An instance where, after a conference asked before a disagreement, the report was made first in the House agreeing to the conference. *1–57, Record, pp. 7428, 7433, 7436.*

When a conference committee can not agree the managers of the House asking the conference may retain the papers. *1–57, Record, pp. 4419, 4690, Journal, pp. 615, 647.*

A conference report is entered on the Journal. *Jefferson's Manual, Section XLVI, p. 208.*

A conference report must be printed in the Congressional Record before it may be considered in the House. *Rule XXIX, section 2.* This rule does not require a similar printing in the Journal also. *2–57, Record, p. 2709.*

A conference committee may report agreement as to some of the matters of difference but inability to agree as to others. (1392) *1–29, Journal, p. 1302, Globe, p. 1222.*

CONGRESS.

The Constitution provides that Congress shall meet on the first Monday in December of every year, and that the President may on extraordinary occasions convene both or either of the Houses. (1) *Constitution, Article I, section 4, pp. 4, 5; Article II, section 3, p. 23.*

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. *2-58, Record, pp. 1397-1408, 1407-1415.*

Laws relating to the Library of Congress. (1762) *Revised Statutes, sections 80, 81, 82, 85, 86, 87, 88, 93, 94; 25 Stat. L., p. 262; 26 Stat. L., p. 678; 28 Stat. L., p. 577; 22 Stat. L., p. 592; 18 Stat. L., p. 512; 29 Stat. L., pp. 544-546.*

CONGRESSIONAL CEMETERY.

Monuments to deceased members in the Congressional Cemetery. (1759) *19 Stat. L., p. 54.*

CONGRESSIONAL DIRECTORY.

An error in the Congressional Directory does not present a question of privilege. (199) *2-52, Journal, p. 101, Record, p. 1940.*

General provision relating to. (1760) *Revised Statutes, sections 77, 3801; 22 Stat. L., p. 642.*

CONGRESSIONAL RECORD.

(*a*) *Relations of Members thereto.*
(*b*) *Questions of privilege concerning.*
(*c*) *General provisions.*

(*a*) ***Relations of Members thereto.***

The House and not the Speaker decides whether or not a Member has violated leave given him to print remarks in the Record. (1691-1694) *1-52, Journal, p. 144, Record, pp. 3299-3306; 1-54, Record, pp. 1531, 1532, 5123-5125; 2-55, Record, p. 6799; 3-55, Record, p. 2472.*

A question as to the authority of the Speaker over the Congressional Record. *2-56, Record, pp. 3092-3095.*

Words spoken by a Member after he has been called to order may be excluded from the Record by direction of the Speaker. (1680, 1681, 1682) *1-38, Globe, p. 3390; 1-44, Record, p. 5697; 1-54, Record, p. 5802.*

In debating a resolution to strike from the Record disorderly language, a Member may not read the said language. *2-58, Journal, pp. 462, 463, Record, pp. 3470, 3474.*

A Member may not, as a matter of right, demand the reading of the reporters' notes. (1683) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025.*

CONGRESSIONAL RECORD—Continued.

(*a*) ***Relations of Members thereto***—Continued.

A Member is not entitled to inspect the reporters' notes of remarks delivered by another Member and which have been withheld for revision. (1688) *2-53, Journal, p. 435, Record, p. 6418.*

A Member should not correct the notes of his own speech in such a way as to affect the remarks of an opponent in controversy without bringing the correction to the attention of that Member. (1689) *2-55, Record, pp. 120, 129.*

A Member having so revised his remarks as to affect the import of words uttered by another Member, the House corrected the Record. *1-59, Record, pp. 9687-9690.*

A Member having obtained unanimous consent to insert certain matter in the Record, and having inserted other matter not specified in the request, the House directed the unsanctioned matter to be stricken out. (1690) *2-55, Record, pp. 3245-3248.*

A Member having, under leave to print, made charges against another Member, the House ordered the speech stricken from the Record. *2-58, Journal, pp. 462, 463, Record, pp. 3470, 3474.*

A Member having printed his speech, after withholding it for revision, the House struck from it unparliamentary portions, although no question had been raised when they were uttered on the floor. *1-59, Record, pp. 5220, 5231.*

The Committee of the Whole has no control over the Congressional Record. *2-56, Record, p. 2285.* But the Chairman of the Committee of the Whole may direct the exclusion of disorderly words spoken by a Member after he has been called to order. *1-59, Record, pp. 7469, 7472, 7473.*

General leave to print may be granted only by the House, although in Committee of the Whole a Member, by unanimous consent, is sometimes given leave to extend his remarks. *1-57, Record, p. 6052.*

It is for the House and not for the Chairman of the Committee of the Whole to determine the privileges of a Member under a general leave to print in the Record. *3-55, Record, p. 2316; 3-58, Record, p. 2137.*

It is for the House and not the Chair to decide whether or not a copyrighted article shall be printed in the Congressional Record. *1-56, Record, pp. 3367-3368.*

A Member having announced his intention to publish in the Record certain extracts, but not having obtained leave of the House, the refusal of the proposed insertion violates no privilege. (186) *1-53, Journal, p. 114.*

CONGRESSIONAL RECORD—Continued.

(*b*) ***Questions of privilege concerning:***

A question as to the accuracy or propriety of anything contained in the official records of debates may be submitted to the House as a matter of privilege. (117, 119) *2-48, Journal, pp. 73, 74, Record, p. 205; 2-48, Journal, p. 356, Record, p. 1024; 1-49, Journal, p. 1835, Record, pp. 5416, 5420.*

The amendment of the Record is not in order pending the approval of the Journal. *1-59, Record, p. 7624.*

The Committee of the Whole having no control over the Congressional Record reported to the House an alleged breach of privilege involved in the reading of an anonymous letter in the committee, and the House struck the letter from the Record. *2-56, Journal, p. 222, Record, pp. 2320, 2321.*

A resolution to expunge a speech from the Record must be entertained as a matter of privilege, but this does not necessarily entitle the Member implicated to the floor on a question of personal privilege. (119) *1-49, Journal, p. 1835, Record, pp. 5416, 5420.*

A resolution to omit from the Congressional Record certain remarks declared out of order does not present a question of privilege. (118) *2-48, Journal, p. 356, Record, p. 1024.*

A question of privilege as to an alleged error in the Record may not be raised until the Record has appeared. *1-56, Record, p. 4616.*

An error in the Congressional Record having been corrected, a question of privilege may not arise therefrom. (198) *1-52, Journal, p. 340, Record, p. 6896.*

A resolution relating to the distribution of the Congressional Record does not present a question of privilege. (213) *2-54, Record, p. 1632.*

A Member who proposes to read as part of a personal explanation matter which the House had refused to allow to go into the Congressional Record was permitted to do so, subject to a point of order if there should be anything in violation of the rules governing debate. (1242) *1-49, Journal, pp. 2547, 2548, Record, pp. 8031, 8032.*

(*c*) ***General provisions.***

The Record is for the proceedings of the House only, and matters not connected therewith are rigidly excluded. (1686) *2-54, Record, p. 2258.*

The office of reporter of debates is created by resolution reported from the Committee on Accounts and agreed to by the House. *2-58, Journal, p. 76, Record, p. 387.*

No rule requires the official reporters to insert in the Record everything that may be read in the House. (1683, 1684) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125.*

CONGRESSIONAL RECORD—Continued.

(*c*) ***General provisions***—Continued.

There is no rule requiring that the text of a bill which has been read in the House shall be printed in either the Journal or the Record. (1683–1685) *2–48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1–53, Journal, p. 125; 1–54, Record, p. 47; 2–57, Record, pp. 1785, 1786.*

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. (1448) *Rule XLI.*

The documents accompanying a message of the President are not printed in the Record. (1687) *1–54, Record, p. 334.*

When a bill, resolution, or memorial is introduced "by request" the words are entered on the Journal and Record. (451) *Rule XXII, section 4.*

The reference of public bills, memorials, and resolutions is entered on the Journal and Record, and correction of reference is made on motion of the committees concerned. (450) *Rule XXII, section 3.*

Petitions, memorials, and private bills are referred by Members and delivered to the Clerk, who enters them on the Journal and furnishes a transcript for the Record. (448) *Rule XXII, section 1.*

The report of a committee of conference must be printed in the Record before its consideration. *Rule XXIX, section 2.* But not in the Journal. *2–57, Record, p. 2709.*

Of the Congressional Record each Member and Delegate has thirty copies. *29 Stat. L., p. 454; 28 Stat. L., pp. 617, 618.*

General law governing the distribution of the Congressional Records. *28 Stat. L., pp. 617, 618.*

Extracts from Congressional Record may be printed for Members at cost. (1679) *18 Stat. L., p. 347.*

Copies of the Congressional Record are furnished to newspaper correspondents. *31 Stat. L., p. 713.*

CONSIDERATION, QUESTION OF.

(*a*) *General provisions.*
(*b*) *When it may be demanded.*
(*c*) *When it may not be raised.*

(*a*) ***General provisions.***

The question of consideration shall not be put unless demanded by a Member. (810) *Rule XVI, section 3.*

The House having voted to consider a matter, a point of order against it comes too late. (692, 1666–1667) *1–51, Journal, p. 233, Record, p. 1353; 2–51, Journal, p. 346, Record, p. 3711; 1–54, Journal, p. 595, Record, p. 6331; 2–57, Record, p. 231.*

CONSIDERATION, QUESTION OF—Continued.

(*a*) ***General provisions***—Continued.

A matter of privilege may be called up again and again subjected to the question of consideration, although previously on the same day this question may have been decided against it. (818) *1-54, Record, pp. 6283, 6299.*

The refusal of the House to consider a bill does not amount to its rejection and does not prevent its being brought before the House again. (819) *2-48, Journal, p. 491, Record, p. 1388.*

It has been held that when the question of consideration is undisposed of at an adjournment it does not recur as unfinished business on the succeeding day. (820, 821) *2-53, Journal, pp. 66, 67, Record, pp. 508, 509.*

It is not in order to reconsider the vote whereby the House refuses to consider a bill. *3-55, Record, p. 197; 1-56, Record, p. 2453, Journal, p. 299.*

The House having voted to consider a report, it is too late to question whether or not the report has been made properly. (692) *1-54, Journal, p. 595, Record, p. 6331.*

A point of order which, if sustained, might prevent the consideration of a bill should be made and decided before the question of consideration is put, but it is otherwise when the point of order merely relates to the method of consideration. (813) *2-55, Record, p. 6553; 1-51, Journal, p. 331, Record, p. 2133.*

(*b*) ***When it may be demanded.***

The question of consideration may be raised against a matter of privilege. (112) *1-48, Record, p. 5299.*

The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. (822, 823) *1-47, Journal, p. 1540, Record, p. 5349; 2-50, Journal, p. 239, Record, p. 762.*

The question of consideration may not be raised against District of Columbia business as a class, but may be raised against the bills individually. (822, 823, 1444, 1445) *1-47, Journal, p. 1540, Record, p. 5349; 2-50, Journal, p. 239, Record, p. 762; 2-53, Journal, pp. 350, 351, 425, Record, pp. 3997, 6121.*

The question of consideration may be raised against a special order. (1264) *1-49, Record, p. 7276.*

Though a bill may come up for consideration under the terms of a special order specifying the bill individually, yet the question of consideration may be raised. (824-827) *1-49, Journal, p. 2297, Record, p. 7335; 2-49, Journal, p. 581, Record, p. 1684; 1-55, Record, p. 2514; 2-50, Record, pp. 1062, 1400.*

CONSIDERATION, QUESTION OF—Continued.

(*b*) ***When it may be demanded***—Continued.

It has been held that the question of consideration may not be demanded against a bill which comes up under a special order providing for its immediate consideration. (828) *2-53, Journal, pp. 484, 485, Record, p. 7548.*

When two special orders are made for the same time, the one first made has priority over the other; but the question of consideration can be raised against either of them. (1260, 1261) *1-26, Globe, p. 325; 1-49, Record, p. 4543.*

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. (817, 818) *1-35, Journal, pp. 1083, 1085; 1-54, Record, pp. 6283, 6299.*

A Member may demand the question of consideration, although the Member in charge of the bill claims the floor for debate. (79) *2-55, Record, p. 5763.*

A Member whose intention to raise the question of consideration had been frustrated by an affirmative vote on a motion to adjourn was allowed to raise the question on the succeeding day. (812) *2-44, Journal, p. 252, Record, p. 725.*

(*c*) ***When it may not be raised.***

The question of consideration may not be raised after the question has been stated and discussion has begun. (811) *1-17, Journal, pp. 296, 297.*

It has generally, although not always, been held that the question of consideration may not be raised after the previous question has been ordered. (815, 816, 827) *1-48, Record, p. 5543; 2-52, Journal, p. 33, Record, p. 381; 2-50, Record, pp. 1062, 1400.*

The question of consideration may not be demanded against a bill returned with the objections of the President. (836, 837) *2-53, Journal, p. 312, Record, pp. 3458, 3459.*

The question of consideration may not be raised on a motion relating to the order of business. (832-835) *1-51, Journal, pp. 103, 968, Record, pp. 433, 8814; 2-52, Journal, p. 56, Record, p. 822; 2-53, Journal, p. 145, Record, p. 2009.* As the motion to discharge a committee. *3-58, Record, p. 4021.*

A motion to go into Committee of the Whole to consider a bill having been made, it was held that the only way for the House to express its wish as to consideration of the bill was by its vote on the motion to go into Committee of the Whole. (835) *2-53, Journal, p. 145, Record, p. 2009; 2-56, Record, p. 2917; 1-57, Record, p. 2498; 2-57, Journal, p. 271, Record, pp. 2426, 2427.*

CONSIDERATION, QUESTION OF—Continued.

(*c*) ***When it may not be raised***—Continued.

In the Fifty-second and Fifty-third Congresses the former practice of entertaining the question of consideration against a report of the Committee on Rules was reversed. (829–831) *2–51, Journal, p. 273; 1–52, Journal, p. 91; 2–53, Journal, pp. 71, 72, Record, p. 528.*

Under certain circumstances the question of consideration has been ruled out of order as dilatory. (1547) *1–53, Journal, pp. 96, 97, 98; 1–59, Record, pp. 7092–7093, 7097.*

A vote by yeas and nays having been without result, because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. (814) *1–51, Journal, p. 941, Record, p. 8432.*

It is not for the Chair to pass upon the consistency of a proposed amendment with a proposition already agreed to. *2–56, Record, pp. 2098, 2099.*

CONSTITUTION OF THE UNITED STATES.

Method of proposing amendments to the Constitution. (1782) *Constitution, Article V, p. 30.*

It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation. (89) *2–45, Journal, p. 921, Record, p. 2713.*

The vote required on a resolution proposing an amendment to the Constitution is two-thirds of those voting, a quorum being present, not two-thirds of the entire membership. (1128) *2–55, Record, p. 4826.*

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. *1–57, Record, pp. 1721, 1722.*

Proposed amendments to the Constitution may be amended by a majority vote. *1–56, Record, p. 4128, Journal, pp. 467, 468.*

Instance of the receipt and reference of the application of a State legislature for the calling of a convention to amend the Constitution of the United States. *2–59, Record, p. 3072.*

CONSTITUTIONAL PRIVILEGE.

A bill to amend the law in relation to vacancies in the offices of President and Vice-President was treated as highly privileged. (143) *2–44, Journal, pp. 555, 556, Record, p. 1980.*

A proposition to impeach a civil officer of the United States is privileged. (144–147) *3–37, Journal, p. 159, Globe, p. 145; 2–39, Journal, p. 121, Globe, p. 320; 2–48, Journal, pp. 27, 28, Record, pp. 17, 19; 1–54, Journal, p. 37, Record, p. 115.*

CONSTITUTIONAL PRIVILEGE—Continued.

Distinctions as to constitutional privilege. (210) *2-55, Record, p. 3381.*

A bill making an apportionment of Representatives presents a privileged question. (1774) *2-51, Journal, p. 59, Record, p. 530.*

A bill relating to taking the census was held to be privileged. *1-56, Record, p. 884, Journal, p. 166.*

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. (140) *2-53, Journal, pp. 43, 44, Record, pp. 397-400; 2-58, Journal, p. 26, Record pp. 55-58.*

Questions as to its invasion by origination of revenue bills in the Senate. (133-135) *2-27, Journal, p. 287, Globe, pp. 195, 196; 2-45, Journal, p. 1303, Record, pp. 4605-4614; 2-48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962; 3-58, Record, pp. 2730-2736, 2766-2770; 1-59, Record, pp. 383, 432, 452, 581.*

It is for the House and not the Speaker to decide whether or not a Senate amendment to a revenue bill violates the privileges of the House. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

A legislative proposition, presented in obedience to a mandatory provision of the Constitution, was held to involve a question of privilege. *2-56, Journal, pp. 80, 81, Record, pp. 520-522.*

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. (139) *2-49, Journal, pp. 349, 350, Record, p. 917.*

A point of order relating to the constitutional privilege of the House may be made at any time. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

CONTEMPTS.

See "Privilege."

CONTESTANTS IN ELECTION CASES.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

CONTESTED ELECTIONS.

The right of a Member to his seat may come up at any time as a question of privilege, even though the subject has been referred to a committee. (112) *1-48, Record, p. 5299.*

A motion to discharge a committee from the consideration of a contested election case presents a question of the highest privilege. (113) *1-49, Record, p. 7403.*

CONTESTED ELECTIONS—Continued.

The right of a Member to his seat presents a question of privilege, and takes precedence of other business. (107–116) *1–26, Journal, pp. 1283, 1300; 1–29, Journal, p. 201, Globe, p. 158; 1–31, Journal, p. 1065, Globe, pp. 1315, 1317; 2–31, Journal, p. 119, Globe, p. 190; 2–44, Journal, p. 15, Record, p. 11; 1–48, Record, p. 5299; 1–49, Record, p. 7403; 1–53, Journal, p. 157, 159; 1–51, Journal, p. 22, Record, p. 196.*

A resolution for the employment of a handwriting expert in an election case was admitted as privileged. *2–58, Record, p. 721, Journal, p. 142.*

The contestant in an election case is sometimes allowed, by unanimous consent, to address the House in his own behalf. (843) *1–54, Record, pp. 1120, 1168.*

A contestant heard in his own behalf is subject to all the rules of debate applying to the Member. A Speaker, being a contestee, was allowed to speak by unanimous consent. (840) *1–28, Journal, p. 1012, Globe, p. 648.*

Questions that have arisen over the effect of votes defeating resolutions declaring Members entitled to their seats, etc. (109, footnote) *1–30, Journal, p. 709, Globe, p. 643; 1–31, Journal, p. 1065, Globe, pp. 1315, 1317; 1–54, Record, p. 5915.*

The substitute resolutions presented in a contested-election case are on the same footing as other amendments of that kind and are not divisible. *2–57, Journal, p. 291, Record, p. 2726.*

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. (817, 818) *1–35, Journal, pp. 1083, 1085; 1–54, Record, pp. 6283, 6299.*

CONTINGENT FUND.

Subjects relating to, belong to the jurisdiction of the Committee on Accounts. (652) *Rule XI, section 54.*

Matters of expenditure from, may be reported to the House by the Committee on Accounts at any time. (398) *Rule XI, section 59; 3–55, Record, p. 2761.*

The privilege of the Committee on Accounts is confined to matters of expenditure from the contingent fund of the House. *2–58 Record, pp. 3763, 3764, 5281; 1–59, Record, pp. 8485, 8486, 9388, 9389.*

The approval of the Committee on Accounts is conclusive as to lawful expenditures from the contingent fund. (1735) *Decisions of Comptroller (Bowler), Vol. II, p. 24.*

The Clerk keeps the contingent fund and stationery accounts, and pays Members' stationery accounts. (1712) *Rule III, section 3.*

CONTINGENT FUND—Continued.

The most recent decisions are that resolutions appropriating from the contingent fund need not be considered in Committee of the Whole, but earlier decisions are the other way. (1728–1733) *2–50, Record, pp. 356, 357; 1–52, Journal, p. 345, Record, p. 6945; 2–52, Journal, p. 126, Record, p. 2431; 1–51, Journal, p. 87, Record, p. 376; 2–51, Journal, p. 216, Record, p. 2199; 2–54, Record, p. 271.*

Expenses of monuments to deceased Members in the Congressional Cemetery are defrayed from. (1759) *19 Stat. L., p. 54.*

Continuation of a public work or object.

See "Appropriation bills."

CONTRACTS.

The Clerk makes or approves all contracts, bargains, or agreements relative to supplies or labor for the House. (1712) *Rule III, section 3.*

Contracts involving the employment of horses. (1735, footnote) *23 Stat. L., p. 512.*

A Member may not be interested in a public contract. (29) *Revised Statutes, sections 3739–3742.*

COPYRIGHTS.

Subjects relating to, belong to the jurisdiction of the Committee on Patents. (636) *Rule XI, section 28.*

CORRECTION.

An enrolled bill may be corrected by the passage of a concurrent resolution. (476, 477) *1–54, Record, p. 5243; 2–55, Record, p. 5770.*

CORRECTION OF REFERENCE.

The Speaker refers public bills, memorials, and resolutions; and correction of reference is made by the House. (450) *Rule XXII, section 3.*

CORRIDORS.

The Speaker has control of them. (44) *Rule I, section 3.*

CORRUPT COMBINATIONS.

An alleged corrupt combination on the part of certain Members constituted a question of privilege. (151) *3–34, Journal, pp. 475, 476, Globe, pp. 764, 766.*

COUNTING ELECTORAL VOTE.

The law relating to counting the electoral vote. (1766) *24 Stat. L., p. 373.*

Preparations for the counting of the electoral vote. (1767) *2-54, Record, p. 1462.*

Proceedings in relation to the electoral count of 1905. *3-58, Record, pp. 64, 459, 586, 918, 1156, 2052, 2062, 2089, 2090.*

COUNTING THE HOUSE.

See "Quorum."

COUNTING A QUORUM.

See "Quorum."

COURTS.

The mandate of a court to Members of the House requiring them to produce in court certain papers in possession of a committee of the House was held to be a breach of privilege. (142) *1-44, Journal, p. 528, Globe, pp. 1522, 1538.*

The statutes provide that extracts from the Journal shall be admitted as evidence in the United States courts. (215) *Revised Statutes, section 895.*

COURT OF CLAIMS.

See "Claims."

CREDENTIALS.

Members-elect challenged at the organization of the House for alleged defects in their credentials or election have generally been allowed to take the oath pending the examination of their cases. *1-37, Journal, pp. 12, 13, Globe, pp. 6, 7, 10, 13; 1-41, Globe, pp. 7, 10; 1-42, Globe, pp. 6, 7, 10; 1-44, Record, pp. 167, 171, 172; 1-45, Record, pp. 54, 60, 69, 73, 88, 92, 93; 1-46, Record, pp. 6, 27; 1-47, Record, pp. 9, 11, 13, 14, 15; 1-53, Record, pp. 201, 202, 226-238.*

In a few instances Members-elect challenged because of alleged defects in their credentials have not been allowed to take the oath. *1-38, Journal, pp. 6, 7, 9, 12, Globe, p. 7; 1-38, Journal, p. 13, Globe, p. 8; 1-47, Record, p. 14.*

The credentials of a Member-elect indicating that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced. *2-56, Journal, pp. 5, 20, Record, pp. 15, 46.*

There being a question as to a Member's election, he was sworn in and his credentials were referred to a committee with instructions. *2-57, Journal, p. 6, Record, p. 4.*

CREDENTIALS—Continued.

By unanimous consent the oath of office may be administered to Members whose regular certificates have not arrived. *1-57, Journal, p. 223, Record, p. 692; 2-59, Record, p. 13.*

CUBA.

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

Although there is a specific rule giving to Insular Affairs the jurisdiction of matters relating to Cuba, the House has decided that they belong rather to Foreign Affairs. *2-59, Record, pp. 602-604.*

CURRENCY.

Subjects relating to, belong to the jurisdiction of the Committee on Banking and Currency. (614) *Rule XI, section 5.*

DEATH.

See "Ceremonies."

DEBATE.

(*a*) *Rights of Member in.*
(*b*) *Recognition by the Speaker.*
(*c*) *Personal questions.*
(*d*) *Reference to other Members, committees, the Senate or Executive.*
(*e*) *Participation of Speaker in.*
(*f*) *Points of order, relation to.*
(*g*) *Confining Member to the subject.*
(*h*) *Yielding time.*
(*i*) *In Committee of the Whole—Limiting general debate.*
(*j*) *In Committee of the Whole—Five-minute.*
(*k*) *In Committee of the Whole—In general.*
(*l*) *Reading papers in.*
(*m*) *Speeches in the Congressional Record.*
(*n*) *Disorderly words in.*
(*o*) *Limitations of.*
(*p*) *The forty minutes of debate.*
(*q*) *Questions not debatable.*

(*a*) ***Rights of Member in.***

No Member may occupy more than one hour in debate in House or in committee. (838) *Rule XIV, section 2.*

A motion must be made before the Member may proceed in debate. *1-57, Record, p. 7387.*

DEBATE—Continued.

(*a*) ***Rights of Member in***—Continued.

A Member is entitled to but one hour to debate a question of privilege. (844) *1-51, Journal, p. 1013, Record, p. 9679.*

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. *1-59, Record, p. 7624.*

A Member having the floor for debate may not be interrupted by a motion to adjourn. (845, 1487, 1489) *1-53, Journal, p. 117; Jefferson's Manual, Section XX, p. 136; 2-51, Journal, pp. 14, 15, Record, p. 35.*

A motion that the Committee of the Whole rise is not in order while a Member has the floor in debate. *2-56, Record, p. 2491.*

A motion relating to the order of business may not be made while a Member is speaking. (1487) *Jefferson's Manual, Section XX, p. 162.*

A conference report may be presented when a Member is occupying the floor for debate. (1393-1395) *2-50, Record, pp. 678, 683; 1-51, Journal, pp. 822, 904, Record, pp. 6941, 6942, 7880.*

A Member having the floor in Committee of the Whole may yield to another Member to move that the committee rise without losing his right to occupy the floor at the next sitting. (846, 847) *1-31, Globe, pp. 340, 358; 2-31, Globe, p. 645.*

A Member who proposes to submit a motion may not debate it until it has in fact been submitted and read or stated to the House by the Clerk or Speaker. (842) *2-53, Journal, pp. 37-41, Record, p. 376.*

The contestant in an election case is sometimes allowed, by unanimous consent, to address the House in his own behalf. (843) *1-54, Record, pp. 1120, 1168.*

A contestant heard in his own behalf is subject to all the rules of debate applying to the Member. A Speaker, being a contestee, was allowed to speak by unanimous consent. (840) *1-28, Journal, p. 1012, Globe, p. 648.*

A Member-elect whom the House proposed to exclude was allowed by unanimous consent to speak in his own behalf. *1-56, Record, pp. 1072-1104.*

No Member may speak more than once unless he be the mover, proposer, or introducer of the pending matter, in which case he may speak in reply after all choosing to speak have spoken. (861) *Rule XIV, section 6.*

The Member reporting the measure under consideration may open and close, where general debate is had, and may have an additional hour to close if the debate extends beyond a day. (860) *Rule XIV, section 3.*

DEBATE—Continued.

(*a*) ***Rights of Member in***—Continued.

The right of "the Member reporting the measure under consideration from a committee" to close the debate, and the relations of that right to the previous question and to the limitation of debate in Committee of the Whole. (866–869) *1–31, Journal, p. 1056, Globe, p. 1308; 2–44, Journal, pp. 201, 202, Record, pp. 544, 708; 1–48, Journal, pp. 338, 339, Record, pp. 466, 1167.*

The right of the "mover, proposer, or introducer of the matter pending" to speak in reply does not apply to a Member who has moved to reconsider the vote on a bill which he did not report. (865) *1–44, Record, pp. 382, 390.*

A Member is not entitled to the floor on a question of personal privilege unless the subject which he proposes to present relates to himself in his representative capacity. *2–56, Record, pp. 2276–2278.*

In the House a Member may yield the floor for a motion to adjourn without losing his right to continue when the subject shall be considered again. *1–56, Record, p. 5618.*

It is too late to make the point of order that a Member has already spoken if no one claims the floor until he has made some progress in his speech. (864) *1–29, Journal, p. 934.*

A Member who has spoken once to the main question may speak again to an amendment. (862–863) *Jefferson's Manual, Section XXXV, p. 186; 1–28, Journal, p. 532, Globe, p. 356.*

The Constitution defines the privileges of Members in regard to debate. (91) *Constitution, Article I, section 6, pp. 5, 6.*

(*b*) ***Recognition by the Speaker.***

The Speaker has authority to name the Member who is entitled to the floor. (66) *2–32, Journal, p. 405, Globe, p. 1154.*

Under the rules, the Speaker recognizes the Members who address the House. (87) *2–55, Record, p. 2328.*

There is no appeal from the Speaker's decision in recognizing a Member. *2–58, Record, p. 5050.*

The rule of recognition and the hour rule for debate, form, and history. (62) *Rule XIV, section 2.*

Discretion as to recognition must be lodged with the Presiding Officer. (Mr. Garfield's report.) (63) *1–46, Record, p. 340.*

The governing of recognitions by the Chair. *1–57, Record, p. 4255.*

In awarding recognition the Speaker is ordinarily controlled by the usages of the House. *2–58, Record, p. 3150.*

DEBATE—Continued.

(*b*) ***Recognition by the Speaker***—Continued.

The Speaker may, under certain circumstances, prefer another Member to one who is already on the floor. (68) *1-55, Record, p. 2449.*

The Member on whose motion a subject is brought before the House is first entitled to the floor. (70) *2-30, Journal, p. 247.*

A Member desiring to interrupt another in debate should address the Chair for permission of the Member speaking. *2-56, Record, p. 710.*

The Member reporting a bill from a committee is entitled to recognition although another Member may have risen first. (69) *3-27, Journal, p. 211.*

The chairman of the committee in charge of a bill is entitled at all stages to prior recognition for allowable motions intended to expedite the bill. *2-58, Record, pp. 3533, 3534.*

The chairman of a committee having in committee opposed a bill, must in the House yield prior recognition to a member of his committee who has favored the bill. (71) *1-49, Journal, pp. 2225-2227, Record, pp. 7053-7057.*

The question as to the extent to which the chairman of the committee reporting a bill should be recognized to offer amendments to perfect it, in preference to other members. (73) *2-53, Record, pp. 831, 887.*

The control of a bill on the floor having devolved on the ranking member of the committee favoring it, he resigned his right to the introducer of the bill, who was not a member of the committee. *2-56, Record, p. 140.*

A Member may not, by offering a motion of higher privilege than the pending motion, deprive the member of the committee in charge of the bill of the floor. (74, 75) *2-50, Record, p. 2454; 2-56, Record, p. 2991; 2-57, Record, p. 2659.*

A member of the committee having occupied the floor in favor of the measure, a Member opposing should be recognized, even though he be not a member of the committee. (72) *1-52, Journal, p. 152, Record, pp. 3429, 3430; 1-56, Record, pp. 829, 2455.*

In recognizing for general debate the Chair alternates between those favoring and those opposed, preferring members of the committee reporting the bill. *1-59, Record, p. 1989.*

A motion made by the Member in control of a bill being decided adversely, the right to recognition passes to the opponents. (82, 83, 84, 85) *2-54, Record, pp. 822, 1071, 1320, 2590; 1-56, Record, pp. 5290, 6848-6856; 2-56, Record, pp. 3084-3087; 1-57, Record, pp. 7605, 7608; 2-57, Record, p. 927.*

DEBATE—Continued.

(*b*) ***Recognition by the Speaker***—Continued.

The House having disagreed to the recommendation of the committee reporting a resolution, the Speaker recognized an opponent of the committee, but not the original proposer of the resolution. *2-58, Record, p. 3150.*

A negative decision of the question on agreeing to a conference report did not cause the Member in charge of the bill to lose the right of prior recognition during subsequent consideration of the Senate amendments. *1-59, Record, p. 8881.*

The adoption of an amendment against the advice of the Member in charge of the bill does not cause him to lose his right to prior recognition. *2-57, Record, pp. 1082, 1084.*

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. *2-58, Record, p. 5801.*

A Member may demand the question of consideration, although the Member in charge of the bill claims the floor for debate; but the previous question may not in a similar manner be demanded. (79) *2-55, Record, p. 5763.*

As to whether the motion to lay on the table may be made before the Member in charge has begun his remarks. (77, 78) *1-52, Journal, p. 290, Record, pp. 6126, 6127; 1-55, Record, p. 744; 2-57, Record, p. 2759.*

When suspension of the rules is asked to pass a bill a Member opposing the bill is entitled to demand a second, and thus control the time in opposition. (76) *2-54, Record, p. 2365; 2-56, Record, pp. 3444, 3445.*

In general debate the Speaker recognizes with the purpose of securing alternation of the two sides; but this principle is not insisted on rigidly where a limited time is controlled by Members, as in the forty-minute debate under section 3 of Rule XXVIII. *1-56, Record, pp. 4031, 4061, 4062; 2-57, Record, p. 2724.*

Recognitions are alternated according to differences on the pending question rather than on account of political differences. *2-56, Record, p. 3236.*

During the five-minute debate recognitions are not necessarily alternated between the political divisions of the House, but are governed by conditions relating to the pending question. *1-57, Record, p. 7446.*

A Member opposed to a bill, having the floor, may make a motion for the previous question, although the effect of the motion may be to deprive the Member in charge of his control of the bill. *1-56, Record, p. 4864.*

A Member may not demand the previous question if the Member in charge of the bill claims the floor in debate. *2-57, Record, p. 2857.*

DEBATE—Continued.

(*c*) ***Personal questions.***

If charges arise against a Member he is to be heard. (8) *Jefferson's Manual, Section XVII, p. 158.*

In presenting a case of personal privilege arising out of charges made against him, the Member must confine himself to the charges. (106, 905) *2-55, Record, p. 5056; 1-52, Journal, p. 142, Record, p. 3213.*

While a Member rising to a question of personal privilege may be allowed some latitude in developing the case, yet the rule requiring the Member to confine himself to the subject holds in this as in other cases. (878, 879) *1-51, Journal, pp. 992, 1013, Record, pp. 9189, 9191, 9676.*

A Member, in making a personal explanation, has the largest latitude, but must confine himself to the point on which he has been criticised, and may not yield time for debate to another. (34) *2-38, Globe, p. 503.*

A Member threatened with expulsion, and heard in his own defense, may not depute another to appear for him, and is governed by the rules of debate. (30) *2-41, Journal, p. 373.*

Language which may be replied to as a matter of personal privilege must reflect upon the Representative in his capacity as a Representative. (185) *2-52, Journal, p. 106, Record, p. 1979.*

Questions involving the distinction between general language and personalities in debate. *3-58, Record, pp. 2479, 2481, 2482.*

A declaration on the floor of the House that a statement made by a Member on his own responsibility is false presents a question of privilege. (99) *1-49, Record, p. 5516.*

A question of personal privilege is not in order at a session devoted by order of the House to debate alone. (105) *1-54, Record, p. 1457.*

(*d*) ***Reference to other Members, committees, the Senate, or Executive.***

A Member may not in debate refer to another Member by name. (877) *2-55, Record, p. 2433; 1-59, Record, pp. 352, 356; Jefferson's Manual, Section XVII, p. 155.*

In debate a Member should not address another in the second person. *3-55, Record, pp. 762, 1289; 2-56, Record, p. 593; 2-58, Record, p. 3152.*

It is a breach of order to refer in debate to proceedings in the other House, and it is particularly the duty of the Speaker to prevent such expressions. (907) *Jefferson's Manual, Section XVII, p. 157; 3-55, Record, pp. 2669, 2685, Appendix, pp. 38, 39; 1-57, Record, p. 7389.*

Interpretation of the rule prohibiting reference in debate to what has been said on the subject in the other House. *1-57, Record, p. 5957.*

DEBATE—Continued.

(*d*) ***Reference to other Members, committees, the Senate, or Executive***—Cont'd.

References in the nature of criticisms of the other body, or comments upon it, have been repressed with strictness. (908–912) *2–46, Record, p. 1681; 1–48, Record, p. 3976; 1–51, Record, p. 10381; 1–54, Journal, pp. 451–452, Record, pp. 4801, 4802; 1–55, Record, p. 1393; 2–56, Record, pp. 3383, 3576.*

It is not in order in debate to refer to a Senator in terms of personal criticism. (1639) *1–52, Journal, p. 87, Record, p. 1703; 1–59, Record, p. 1502.*

The quotation of personal views of a Senator, not uttered in the Senate, was held to be in order in the House. *1–56, Record, pp. 3977, 3978.*

Language used in the House and published in the Congressional Record, reflecting upon the Senate and Senators, presents a question of privilege. (141) *1–51, Journal, pp. 1041, 1044, Record, pp. 10068, 10101.*

A Member whose motives have been impugned in the Senate may refer to proceedings in that body sufficiently to explain his own motives, but may not under the rights of privilege bring into discussion the whole merits of the controversy. (102) *1–52, Journal, p. 354.*

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155; 1–57, Record, pp. 3631, 5171; 2–57, Record, pp. 2926, 2927; 2–58, Record, pp. 5279, 5280; 1–59, Record, pp. 352, 356.*

Denunciation of the spirit in which a member had spoken was held out of order as a personality in debate. *1–59, Record, p. 5223.*

The assertion that a statement made by another member was not true was held to be parliamentary. *1–59, Record, p. 5015.*

It is not in order in debate for one Member to accuse another of an offense even though it be not connected with the representative capacity of the latter. *3–58, Record, pp. 2481, 2482.*

It is not in order in the House to refer to the proceedings of a committee, or to read from the records thereof, except by authority of the committee. (713–716) *1–26, Journal, pp. 418, 423, Globe, p. 213; 1–31, Journal, p. 393, Globe, p. 214; 2–51, Journal, p. 67, Record, p. 647; 2–51, Journal, p. 174, Record, pp. 1787, 1788; 2–57, Record, pp. 2655, 2716; 1–59, Record, p. 7468.*

A reference in debate to the probable action of the President of the United States was held to involve no breach of order. *1–57, Record, p. 3371.*

DEBATE—Continued.

(*e*) ***Participation of Speaker.***

The Speaker may speak first on matters of order. (839) *Jefferson's Manual, Section XVII, p. 155.*

Except on points of order, the Speaker may not speak except by leave of the House. (839) *Jefferson's Manual, Section XVII, p. 155.*

While this is the old parliamentary rule, Speakers have, in the rare instances when they have left the chair to participate in debate, done so without the formal consent of the House. *2-37, Globe, p. 909; 1-38, Journal, p. 505, Globe, p. 1503; 3-40, Journal, p. 322, Globe, p. 1066; 1-42, Globe, p. 1-24; 3-42, Globe, p. 11; 2-43, Record, p. 899; 2-53, Record, p. 3335; 1-59, Record, pp. 8528, 8529.*

The Speaker has spoken briefly from the chair on a question of privilege relating to himself. *1-57, Record, pp. 2876-2877.*

Resolutions accompanying a report must be stated by the Speaker or read by the Clerk before being debated. (841) *2-48, Journal, p. 745, Record, pp. 2412, 2413.*

(*f*) ***Points of order, relation to.***

Debate upon a point of order is within the discretion of the Speaker. (880, 1643) *2-51, Journal, p. 174, Record, pp. 1787, 1788; 1-43, Record, p. 3020; 3-58 Record, p. 1846.*

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. *1-56, Record, p. 4494.*

When a point of order is reserved the pending proposition may be debated on its merits unless some Member demands a decision of the question of order. *2-59, Record, p. 3373.*

When discussion on the merits proceeds while a point of order is reserved, it precludes the making of a second point of order after a decision as to the first. *2-59, Record, pp. 1983, 1985.*

The decision of the Speaker on questions of order is subject to appeal, on which appeal a Member may speak but once. (45) *Rule I, section 4.*

After debate has begun on a proposition it is too late to make a point of order. (1657-1663) *1-30, Journal, p. 989; 1-48, Record, p. 752; 1-51, Journal, p. 21, Record, p. 195; 1-54, Record, pp. 567, 572; 2-55, Record, pp. 2720-2724, 3001; 2-55, Record, p. 6092; 3-55, Record, p. 267; 2-58, Record, pp. 1142, 5277, 5278;* but to preclude a point of order the debate should be on the merits of the proposition. *2-58, Record, pp. 5031-5032.*

DEBATE—Continued.

(*g*) ***Confining Member to the subject.***

The Member shall confine himself to the question under debate, avoiding personality. (61, 870) *Rule XIV, section 1; Jefferson's Manual, Section XVII, p. 155.*

It has always been held, and generally quite strictly, that in the House the Member must confine himself to the subject under debate. (872–876) *2–18, Debates, p. 510; 1–29, Journal, pp. 764, 769; 1–48, Journal, p. 1014; 2–51, Journal, p. 13, Record, p. 30; 2–55, Record, pp. 1632–1635.*

It has generally been held that the Member need not confine himself to the subject during general debate in the Committee of the Whole House on the state of the Union. (883–887) *1–26, Globe, pp. 338, 340, 360; 1–27, Globe, p. 135; 2–30, Globe, pp. 587, 592; 1–31, Globe, p. 1475; 1–32, Globe, p. 1856; 1–59, Record, p. 932.*

In general debate in Committee of the Whole House the Member must confine himself to the subject. (888) *2–55, Record, pp. 2497–2500; 1–56, Record, p. 1676.*

In debate under the five-minute rule the Member must confine himself to the subject. (889–897) *1–31, Globe, pp. 1594, 1596; 1–51, Record, p. 3695; 1–52, Record, pp. 4689, 4690; 2–54, Record, p. 1355; 1–54, Record, p. 438; 2–55, Record, pp. 2142, 2244, 2245, 2735, 2736, 3226–3236; 3–55, Record, p. 1399; 1–56, Record, pp. 4482, 6442.*

In discussing a proposition to impeach the President a wide latitude was allowed a Member in preferring charges. (906) *2–39, Journal, p. 163, Globe, p. 444.*

(*h*) ***Yielding time.***

It has been held that under general parliamentary law a Member who yields the floor yields it entirely and may not resume it. (852, 853) *1–51, Record, pp. 955, 1010, 1146, Journal, p. 209.*

While a Member is occupying the floor he may yield it to another for explanation of the pending measure as well as for personal explanation. (850–851) *1–32, Journal, p. 524, Globe, p. 911; 2–33, Globe, p. 815.*

Members may not yield time during the five-minute debate. (858, 859) *1–51, Record, p. 4662; 1–55, Record, p. 481; 1–57, Record, p. 6751.*

A Member who yields the floor to another to offer an amendment loses his right to reoccupy it. (854) *1–26, Journal, p. 248, Globe, pp. 153–154; 2–58, Record, p. 1428.*

When a Member yields of his time but retains control of the floor, an amendment may not be offered in the yielded time without his consent. (855) *2–54, Record, p. 2208.*

DEBATE—Continued.

(*h*) ***Yielding time***—Continued.

A Member who receives time from another may yield of it to a third only with the consent of the first. (856, 857) *2-54, Record, p. 1995; 2-55, Record, p. 1632.*

The time of a debate having been divided and assigned to the control of the two sides, it must be assigned to Members in accordance with the rules, no Member being allowed more than one hour. (848, 849) *1-54, Record, p. 5199; 2-54, Record, pp. 462, 465.*

(*i*) ***In Committee of the Whole—Limiting general debate.***

The motion to close general debate in Committee of the Whole is made pending the motion that the House resolve itself into committee, and though not debatable, the previous question is sometimes asked to prevent attempts at amendment of the motion. (915) *2-54, Record, p. 2218; 1-59, Record, p. 7473.*

The motion to close general debate may not be made in Committee of the Whole. *2-56, Record, pp. 3236, 3237.*

A proposition for a division of time is not in order as a part of a motion to limit debate in Committee of the Whole. *1-56, Record, pp. 1285, 1286; 1-57, Record, pp. 2737, 2738.*

The rule for closing general debate in Committee of the Whole applies to messages of the President as well as bills, and may be applied to a particular portion of a message. (916) *1-32, Journal, pp. 146, 147.*

General debate in Committee of the Whole may not be limited on a series of bills by one motion. *3-55, Record, p. 1561, Journal, p. 143.*

The time occupied in reading a bill in Committee of the Whole does not come out of the time allowed for general debate. (921) *2-43, Record, p. 1699.*

The House having fixed the time when general debate in Committee of the Whole shall cease, the committee may not extend it even by unanimous consent. (917-918) *2-32, Globe, pp. 784, 785; 2-55, Record, pp. 81, 95; 1-57, Record, pp. 6398, 6399; 2-58, Record, pp. 2226.*

In the absence of a rule by the House itself, the Committee of the Whole may by unanimous consent permit general debate during consideration of the bill for amendment. *1-59, Record, p. 1327.*

A motion to limit general debate in Committee of the Whole is not in order until such debate has been actually begun. (732, 916, footnote) *2-45, Journal, p. 619; 1-57, Record, p. 4585.*

If general debate is limited in Committee of the Whole it must be limited on the whole and not on a part of the bill under consideration. (734) *1-50. Journal, p. 2507, Record, p. 7039.*

DEBATE—Continued.

(*i*) ***In Committee of the Whole—Limiting general debate***—Continued.

After the vote has been taken on the motion to go into Committee of the Whole, it is too late to offer a motion to close general debate in the Committee of the Whole. *2-56, Journal, pp. 292, 293, Record, pp. 3235, 3236.*

In Committee of the Whole, no Member desiring to participate in general debate, the reading of the bill for amendment begins. *2-56, Record, p. 1643.*

General debate in Committee of the Whole is not necessarily closed by failure of those entitled to the floor to proceed in debate. *3-58, Record, p. 321.*

(*j*) ***In Committee of the Whole—Five-minute.***

It is not in order to close debate on a paragraph in Committee of the Whole before debate upon it has begun. (733) *1-49, Journal, p. 1736, Record, pp. 5004, 5005; 1-57, Record, p. 6745.*

After general debate is closed by order of the House in Committee of the Whole, amendments are offered, debated, and amended under the five-minute rule, and any amendment once offered may be withdrawn only by unanimous consent. (913) *Rule XXIII, section 5.*

Debate under the five-minute rule must be confined to the section under consideration. *2-56, Record, p. 1585; 2-59, Record, p. 3806.*

A Member who has occupied five minutes on a *pro forma* amendment may not, by making another *pro forma* amendment, lengthen his time. *2-58, Record, p. 3532.*

The Committee of the Whole may, after the five-minute debate has begun, close debate on the section, paragraph, or pending amendments; but this does not preclude further amendment. (914) *Rule XXIII, section 6.*

The five-minute debate may be closed after one speech of five minutes. *2-56, Record, pp. 409, 410.*

The motion to close the five-minute debate, while not debatable, is amendable. *1-57, Record, p. 6744.*

The right to limit debate on the pending section of a bill which is being considered in Committee of the Whole under the five-minute rule may be exercised by the House as well as by the Committee of the Whole. (920) *1-53, Journal, p. 154.*

It has been held in order in the House to close debate on a section of a bill in Committee of the Whole, although only a portion of the section had been read for amendment. (919) *2-48, Record, pp. 1604-1612.*

The closing of debate on the last section of a bill considered under the five-minute rule does not preclude debate on a substitute for the whole text of the bill. *1-57, Record, p. 6777.*

DEBATE—Continued.

(*j*) ***In Committee of the Whole—Five-minute***—Continued.

While the House is proceeding as in Committee of the Whole the previous question may not be moved on a single section of a bill; but it has been decided that it may be moved on a motion to close debate on such section. (805) *2-48, Journal, p. 127, Record, pp. 333-344.*

(*k*) ***In Committee of the Whole—In General.***

In Committee of the Whole amendments are not in order until general debate has been closed. *2-56, Record, p. 1197.*

Before general debate is closed in Committee of the Whole it is not in order to move that the committee rise and report the bill if any Member demand the right to amend. (729) *3-46, Record, pp. 1434, 1435.*

Before general debate has been closed in Committee of the Whole it is not in order to move to report the bill with the recommendation that it be laid on the table. *1-57, Record, p. 1038.*

The motion in Committee of the Whole to lay a bill aside with a favorable recommendation is not debatable. *1-57, Record, p. 3372; 1-59, Record, p. 5748.*

Reading of a bill for amendments being considered in Committee of the Whole, motions ordering it to be reported are not debatable. *1-59, Record, pp. 7089-7091.*

A motion that the Committee of the Whole rise is not debatable. *2-56, Record, p. 2492.*

In Committee of the Whole, as well as in the House, a Member may speak but once on an appeal. (1676) *2-55, Record, p. 739.*

Debate on an appeal in Committee of the Whole has been limited by the committee itself, on motion put and carried, or by the committee rising to enable the House to limit it. (1673-1675) *1-52, Record, p. 4680; 2-55, Record, pp. 730, 731, 3226-3232; 2-58, Record, pp. 3637, 3638.*

During proceedings "in the House as in Committee of the Whole" the motion to close general debate is in order in its simple form. *2-56, Record, p. 166.* But the latest ruling is that when a bill is considered in the House, it is considered under the five-minute rule, without general debate. *3-58, Record, p. 3673; 1-59, Record, p. 2682.*

In Committee of the Whole a motion to strike out the enacting clause is debatable five minutes on either side. *1-57, Record, p. 6567.*

Senate amendments considered in Committee of the Whole are each subject to general debate and amendment under the five-minute rule. *2-58, Record, p. 1732.*

DEBATE—Continued.

(*l*) ***Reading of papers in.***

When the reading of a paper, other than one on which the House is called to give a final vote, is demanded, and objected to, the question is determined by the House without debate. (1236) *Rule XXXI.*

A Member may not have read or read himself a printed book to the House without its leave. (1138) *1-51, Record, p. 1019.*

Without leave of the House a Member has not the right to read a paper in his place, even though it be his own written speech. (1237) *Jefferson's Manual, Section XXXII, p. 174.*

A Member may not have a report read at the Clerk's desk in his own time, if objection be made, without leave of the House; and even has been debarred from reading it himself in his place. *1-56, Record, pp. 4136, 4137; Jefferson's Manual, p. 147.*

Objections being made when Members have proposed to have papers read as parts of their remarks, the question has been referred to the House, as provided by the rule. (1243-1245) *1-54, Record, p. 3557; 1-55, Record, pp. 507, 513, 514; 2-55, Record, p. 846.*

A Member who proposes to read as part of a personal explanation matter which the House had refused to allow to go into the Congressional Record was permitted to do so, subject to a point of order if there should be anything in violation of the rules governing debate. (1242) *1-49, Record, pp. 8031, 8032, Journal, pp. 2547, 2548.*

If a paper read by a Member or by the Clerk contain matter not in order a point of order may be made as if the words were spoken in debate. (1634) *1-49, Journal, p. 2547; 2-58, Record, p. 5205.*

(*m*) ***Speeches in the Congressional Record.***

General leave to print may be granted only by the House, although in Committee of the Whole a Member, by unanimous consent, is sometimes given leave to extend his remarks. *1-57, Record, p. 6052.*

Words spoken by a Member after he has been called to order may be excluded from the Record by direction of the Speaker or Chairman of the Committee of the Whole. (1680, 1681, 1682) *1-38, Globe, p. 3390; 1-44, Record, p. 5697; 1-54, Record, p. 5802; 1-59, Record, pp. 7469, 7472, 7473.*

A Member having, under leave to print, made charges against another Member, the House ordered the speech stricken from the Record. *2-58, Journal, pp. 462, 463; Record, pp. 3470, 3474.*

A Member having so revised his remarks as to affect the import of words uttered by another Member, the House corrected the Record. *1-59, Record, pp. 9687-9690.*

DEBATE—Continued.

(*m*) ***Speeches in the Congressional Record***—Continued.

A Member should not correct the notes of his own speech in such a way as to affect the remarks of an opponent in controversy without bringing the correction to the attention of that Member. (1689) *2-55, Record, pp. 120, 129.*

A Member having printed his speech after withholding it for revision, the House struck from it unparliamentary portions, although no question had been raised when they were uttered on the floor. *1-59, Record, pp. 5220-5231.*

A Member is not entitled to inspect the reporters' notes of remarks delivered by another Member and which have been withheld for revision. (1688) *2-53, Journal, p. 435, Record, p. 6418.*

A resolution being presented to expunge a Member's speech from the Record, the Member is not necessarily entitled thereby to the floor on a question of personal privilege. (119) *1-49, Journal, p. 1835, Record, pp. 5416, 5420.*

In debating a resolution to strike from the Record disorderly language, a Member may not read the said language. *2-58, Journal, pp. 462, 463, Record, pp. 3470, 3474.*

A resolution to omit from the Congressional Record certain remarks declared out of order does not present a question of privilege. (118) *2-48, Journal, p. 356, Record, p. 1024.*

A question as to the accuracy or propriety of anything contained in the official records of debates may be submitted to the House as a matter of privilege. (117, 119) *2-48, Journal, pp. 73, 74, Record, p. 205; 1-49, Record, pp. 5416, 5420, Journal, p. 1835.*

(*n*) ***Disorderly words in.***

If any Member in speaking or otherwise transgress the rules of the House it is the duty of the Speaker and the privilege of any Member to call him to order, in which case he shall sit down, and the offense may be a subject of decision by the House. (871) *Rule XIV, section 4.*

The Speaker may name any Member persisting in disorderly conduct. (1626) *Jefferson's Manual, Section XVII, p. 156; 2-58, Record, p. 3587.*

A Member called to order in debate must take his seat, although he may be permitted by the House to proceed in order or explain. (1636-1639) *2-51, Journal, p. 174, Record, p. 1788; 2-55, Record, p. 3814; 2-53, Journal, p. 137, Record, pp. 1879, 1880; 1-52, Journal, p. 87, Record, p. 1703.*

DEBATE—Continued.

(*n*) ***Disorderly words in***—Continued.

A Member who has been called to order in debate and directed to sit down may not proceed on yielded time. *2–57, Record, pp. 2926, 2927.*

When a Member is called to order for words spoken in debate, the words are to be taken down at once before further debate or business has intervened. (899) *Rule XIV, section 5.*

The Committee of the Whole having risen and reported disorderly language used by a Member, a resolution of censure was held to be in order without a prior decision by the Speaker that the remarks were in fact against order. (1635) *1–51, Journal, pp. 623–625, Record, pp. 4861, 4862, 4868, 4876.*

Disorderly words spoken in Committee of the Whole are written down, but the committee can only report them to the House. (1627) *Jefferson's Manual, Section XVII, p. 157.*

The Speaker having decided that words spoken are out of order, the Member may be permitted to explain, and then it is in order to move that he be allowed to proceed. (903, 904) *1–52, Journal, p. 343; 2–53, Journal, p. 204, Record, p. 2450.*

The words of a Member having been taken down, and the Speaker having decided that they were not in order, it was held that a motion that the Member be permitted to explain had precedence of a motion that he be permitted to proceed in order. (902) *2–53, Journal, p. 132, Record, p. 1811.*

The demand that disorderly words be taken down must be made at once before debate intervenes. (901) *1–51, Journal, p. 994, Record, p. 9234.*

Disorderly words not having been taken down when uttered, it was held not in order to recur to them for the purpose of administering censure. (900) *2–37, Journal, p. 610.*

When a Member who is persisting in his violation of the rule is called to order it is the practice to test the opinion of the House by a motion "that the gentleman be allowed to proceed in order." (880–882) *2–51, Journal, p. 174, Record, pp. 1787, 1788; 1–55, Record, pp. 1067, 1068; 2–55, Record, pp. 1632–1635.*

(*o*) ***Limitations of.***

The rule of the previous question provides for cutting off all debate. (959) *Rule XVII, section 1.*

Except as specially provided by rule, the motion to suspend the rules is not debatable. (1586) *2–27, Globe, p. 121.*

When the previous question is demanded all debate, even the asking of a question, is precluded. (971) *1–28, Journal, p. 1003.*

DEBATE—Continued.

(*o*) ***Limitations of***—Continued.

It is not in order to move that debate in the House on a bill be closed at a certain time. (967, 968) *1-47, Journal, p. 564, Record, pp. 1096, 1097; 1-54, Record, p. 5200.*

Before rules were adopted it was held in order to demand the previous question on a resolution relating to the order of business. (964) *1-53, Journal, p. 23, Record, p. 1027.*

When a vote taken under operation of the previous question is reconsidered, the question stands divested of the previous question and may be debated and amended. (991-994) *1-27, Journal, pp. 47, 61, 128, 129, Globe, p. 53; 1-33, Journal, p. 127; 3-34, Journal, p. 452, Globe, p. 729; 1-54, Record, p. 3722.*

The reading of a report, being in the nature of debate, is not in order after the previous question is ordered. (973, 974) *1-23, Journal, p. 726; 1-49, Record, pp. 7154, 7155.*

The previous question may not be ordered at once on two bills. *2-56, Record, p. 454.*

A bill being reported from the Committee of the Whole with the recommendation that the enacting clause be stricken out, the question of concurrence is debatable in the House. (939, 940) *1-43, Journal, p. 629, Record, p. 2342; 2-53, Journal, pp. 21, 22, Record, pp. 120, 121.*

The motion to recommit with instructions, made before the previous question is asked or ordered, is debatable. *3-55, Record, pp. 595, 597.*

The motions allowed when a question is under debate and their precedence. (924) *Rule XVI, section 4.*

A division having commenced, debate is thereby precluded. *2-58, Record, p. 2709.*

Limitation of debate during the counting of the electoral vote. (1766) *24 Stat. L., p. 373.*

(*p*) ***The forty minutes' debate.***

Forty minutes of debate are allowed on a motion to suspend the rules, and where the previous question has been ordered on a proposition on which there has been no debate. (1558) *Rule XXVIII, section 3.*

When the previous question has been ordered on a proposition, no debate having been had on it in the form in which it is submitted, the question is debatable for forty minutes. (978) *2-50, Journal, p. 384, Record, p. 1381.*

On a motion to suspend the rules the forty minutes of debate are allowed, although the proposition presented may not otherwise be debatable. (1566) *2-52, Journal, p. 142, Record, p. 2606.*

DEBATE—Continued.

(*p*) ***The forty minutes' debate***—Continued.

The forty minutes of debate allowed in certain cases after the previous question is ordered should be demanded before division on the main question has begun. *1-57, Record, p. 7777.*

The debate which justifies a refusal of the right to the forty minutes after the previous question is ordered should be on the merits. *2-58, Record, pp. 1199, 1200.*

The word "proposition" in the rule providing for forty minutes of debate after the previous question is ordered means the main question and does not refer to incidental motions. (982) *1-54, Journal, p. 535, Record, p. 1342; 1-57, Record, p. 1349; 2-58, Record, p. 476.*

The previous question having been ordered on a conference report relating to a subject which had been debated in the House before being sent to conference, it was held that the forty minutes of debate should not be allowed. (981, 982) *1-54, Journal, p. 535, Record, p. 1342; 2-55, Record, p. 4062; 3-55, Record, p. 2188.*

The previous question having been ordered on a resolution to correct an error in an enrolled bill, the forty minutes of debate was not allowed. *2-57, Record, p. 3019.*

A proposition having been debated, and then an amendment having been offered and the previous question ordered on the original proposition and amendment immediately, it was held that the forty minutes of debate could not be had on the amendment. (980) *1-52, Journal, p. 136, Record, p. 3059.*

Debate having been had in the Committee of the Whole, the right to the forty minutes of debate is thereby cut off. (979) *1-52, Journal, p. 173, Record, p. 3930.*

If there has been debate, even though brief, before the previous question is ordered, the forty minutes of debate provided for in Rule XXVIII is precluded. (975-977) *1-51, Journal, p. 555, Record, p. 4086; 2-51, Journal, p. 178, 182, Record, pp. 1809, 1810, 1831-1833.*

The previous question being ordered before rules had been adopted for the House, it was held that the provision allowing forty minutes of debate did not apply. (966) *1-55, Record, p. 17.*

(*q*) ***Questions not debatable.***

The motions to adjourn, lay on the table, and for the previous question are not debatable. (924) *Rule XVI, section 4.*

The motion to fix the day to which the House shall adjourn is not debatable. (1513, 1514) *1-55, Record, pp. 672, 743.*

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. (961) *Rule XVII, section 3.*

DEBATE—Continued.

(*q*) ***Questions not debatable***—Continued.

A division having commenced, debate is thereby precluded. (1169) *2–51, Journal, p. 157, Record, p. 1568.*

A motion to reconsider is not debatable if the question proposed to be reconsidered was not debatable. (1211–1213) *2–27, Journal, p. 331, Globe, p. 218; 2–30, Journal, p. 135, Globe, p. 84; 2–45, Journal, p. 592, Record, pp. 1486, 1487.*

Amendments to the title of a bill or resolution are not in order until after its passage, and are voted on without debate. (1043) *Rule XIX.*

It is not in order to debate the merits of the main question on the motion to refer. (1042) *2–52, Journal, p. 101, Record, p. 1956; 3–55, Record, pp. 595, 597; 2–57, Record, p. 20; 2–58, Record, p. 97.*

The motion to commit under section 1 of Rule XVII is subject to amendment unless the previous question is ordered on it, but is not debatable. (1012) *1–49, Journal, pp. 378, 379, Record, pp. 694, 695; 2–56, Record, p. 2100; 2–58, Record, pp. 4075, 4076.*

Pending the demand for the previous question on the passage of a bill, it is not in order to debate a motion to reconsider the vote on its third reading, but the motion must be disposed of without debate. (972) *1–34, Journal, p. 1009, Globe, pp. 1259, 1260.*

It is not in order to debate a motion to reconsider a vote taken under operation of the previous question. *2–56, Record, p. 2480.*

The previous question being ordered, questions of order are decided without debate. *1–56, Record, p. 5922.*

On a motion to postpone to a day certain the merits of the bill may not be debated. *2–58, Record, p. 3047.*

The motion to strike out the enacting clause is debatable according to the more recent practice of the House. (941) *2–47, Record, pp. 60–62.*

Changes of reference of public bills are made without debate or amendment. (447) *2–53, Journal, p. 202, Record, p. 2423.*

The rule provides that questions relating to the priority of business shall be decided without debate. (434) *Rule XXV.*

A motion relating to the order of business is not debatable. *1–56, Record, p. 1225; 2–56, Record, p. 2476; 1–59, Record, pp. 2608, 7248.*

A motion to discharge a committee from the consideration of a matter, when in order, is not debatable. *1–56, Record, p. 6445.*

A committee report that a resolution lie on the table does not preclude debate until the member in charge of the report makes the motion. *2–58, Record, pp. 1259, 1260.*

A roll call may not be interrupted for debate, even for the presentation of a case of personal privilege. (1167, 1168) *1–31, Globe, p. 1686; 1–51, Journal, pp. 936, 937, Record, pp. 8345, 8352, 8373.*

DEBT, BONDED.

Subjects relating to, are in the jurisdiction of the Committee on Ways and Means. (611) *Rule XI, section 2.*

DECEASED EMPLOYEES.

The representatives of an employee, deceased, before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. (1705) *Decisions of Comptroller (Bowler), Vol. I, p. 310.*

DECEASED MEMBERS.

Payment of salaries. (11) *Revised Statutes, sections 49, 50.*
See also "Ceremonies."

DECISIONS OF THE CHAIR.

Decisions on questions of order in the House are always open for reexamination and decision. (407) *2-50, Record, pp. 47, 48.*

The Speaker having decided that a motion is out of order under the rules of the House, a resolution condemning such decision does not present a question of privilege. (196) *2-51, Journal, p. 187, Record, p. 1872.*

DECLARATIONS OF WAR.

Forms of. (1772) *2-55, Record, p. 4252; Stat. L., 1-12, chapter 102; 2 Stat. L., p. 755; 9 Stat. L., p. 9.*

DECORUM OF MEMBERS.

See "Members."

DEFICIENCIES.

See "Appropriation bills."

DEGREE OF AMENDMENT.

The rule determining the degree of an amendment in cases of amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, p. 206.*

DELEGATES.

Delegates are appointed to certain committees, where they possess the same power and privileges as in the House, and may make any motion except to reconsider. (609) *Rule XII.*

Form of oath taken by Members and Delegates. (14) *Revised Statutes, sections 30, 1757.*

It has been held that there is no roll of Delegates which the Speaker is obliged to recognize at the time of swearing in Members-elect at the organization of the House. *1-47, Record, pp. 14, 23, 38.*

DELEGATES—Continued.

Delegates from the Territories have the right to make motions. (37) *2-30, Journal, p. 503, Globe, p. 581.*

A Delegate may make any motion which a Member may make, except the motion to reconsider. (38) *1-31, Journal, p. 1280.*

The Delegates from the Territories may debate but may not vote. (36) *Revised Statutes, sections 1862, 1863.*

An instance wherein a Delegate was appointed a teller. *2-58, Record, p. 736.*

The Resident Commissioner from Porto Rico has certain of the privileges of Delegates, and may serve on the Committee on Insular Affairs. *Rule XII, section 2.*

A Delegate may not object to the consideration of a measure. (39) *1-39, Globe, p. 3007; 2-56, Record, pp. 3463, 3464.*

DEPARTMENTS.

Method of disposing of useless papers in the Executive Departments. (1783) *25 Stat. L., p. 672.*

The law authorizing the employment of clerks by the heads of Departments does not apply to offices not at the seat of Government. *1-56, Record, pp. 3441, 3442, 3497.*

DESERTION.

Private pension bills and bills removing charges of desertion and political disabilities are considered at Friday evening sessions. (1438) *Rule XXVII, section 2.*

By special order during this Congress Friday evening sessions are discontinued and bills granting pensions and removing charges of desertion are considered on the second and fourth Fridays of each month. *Rule XXVI, section 2 (note).*

DESIGNATION AS SPEAKER.

Form of. (60) *2-55, Record, p. 6757.*

DESKS.

The removal of the desks from the Hall of the House. (1743) *2-35, Journal, pp. 581, 582, Globe, p. 1670; 1-36, Journal, p. 351, Globe, pp. 855, 856.*

DILATORY MOTIONS.

No dilatory motion shall be entertained by the Speaker. (1607) *Rule XVI, section 10.*

In a limited class of cases the Speaker has for many years exercised the right to rule out motions as dilatory. (1608-1611) *1-33, Journal, pp. 735, 757, 762, 765, 854, Globe, pp. 1166, 1191, 1192; 1-35, Journal, p. 866, Globe, p. 2277; 1-50, Record, pp. 2709, 2710.*

DILATORY MOTIONS—Continued.

When the ordinary and proper parliamentary motions are being used solely for delay and obstruction, it is the duty of the Chair to rule them out of order as dilatory. (1612) *1-51, Journal, p. 181, Record, p. 999.*

When, in the opinion of the Speaker, motions or appeals have been made for purposes of delay only, he has ruled them out of order as dilatory. (1613-1620) *1-51, Journal, p. 997, Record, p. 9239; 2-53, Journal, pp. 284, 286, 287, 292, 293, 295, 304, 305, Record, pp. 3339, 3340, 3353, 3422, 3423; 2-54, Record, p. 2469; 1-55, Record, p. 2661; 2-55, Record, pp. 761, 762; 2-57, Record, p. 2828.*

The Speaker sometimes declines to entertain an appeal. (225, 437, 1610) *2-53, Journal, pp. 292, 293, 295, 308, 309, Record, pp. 3351, 3352; 1-39, Globe, pp. 944, 945.*

The Speaker has declined to entertain debate or appeal on a question as to dilatoriness of a motion. *1-59, Record, pp. 7092, 7093.*

A motion must be manifestly for delay in order to justify its rejection as dilatory. *2-57, Record, pp. 895, 896.*

The Committee on Rules has leave to report at any time, and pending consideration of the report, one motion to adjourn may be entertained, but thereafter no dilatory motion. (398, 1544) *Rule XI, section 61; 1-52, Journal, p. 126, Record, p. 2837.*

Pending consideration of a report from the Committee on Rules, the questions of consideration and appeals have been ruled out of order as dilatory. (1547) *1-53, Journal, pp. 96, 97, 98.*

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. (1559) *Rule XVI, section 8.*

The presence of a quorum being disclosed, a motion for a call of the House is not in order pending a motion to suspend the rules. (1568) *1-52, Journal, p. 277, Record, p. 5922.*

When a quorum fails after a motion to suspend the rules, the motion to adjourn may not be repeated unless a quorum fails to appear on a call of the House. (1567) *1-47, Record, pp. 2081, 2082, 2088.*

Pending a motion to suspend the rules, a motion for a recess is not in order. (1569, 1570) *1-45, Journal, p. 290, Record, pp. 811, 812; 1-53, Journal, pp. 174, 175, Record, p. 3127.*

The Speaker, being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes, has declined to entertain it. (1621-1623) *1-54, Record, pp. 6166, 6167, 6173; 2-54, Record, p. 1133; 2-55, Record, pp. 2559-2566.*

DILATORY MOTIONS—Continued.

The presence of a quorum having been ascertained, the Speaker has overruled points of "no quorum," made very soon thereafter. (244, 245) *1-51, Journal, p. 1071, Record, p. 10337; 2-51, Journal, p. 39, Record, p. 271; 2-57, Record, pp. 2726, 2728; 1-59, Record, pp. 7248, 7249; 2-59, Record, pp. 3572, 3573.*

The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. (1623, 1624) *2-55, Record, pp. 2559-2566, 3234.*

The constitutional right of the House to "determine the rules of its proceeding" may not be impaired or destroyed by the indefinite repetition of dilatory motions. (1543) *1-47, Journal, p. 1362, Record, p. 4278.*

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. (1625) *2-55, Record, p. 847.*

Under certain circumstances the motions to reconsider and adjourn, and the question of consideration have been held dilatory. *2-56, Record, p. 409; 1-59, Record, pp. 7092-7093, 7097, 7101, 7105.*

A motion fixing the time of five-minute debate in Committee of the Whole has been ruled out when dilatory. *1-59, Record, p. 8135.*

DIPLOMATIC CORPS.

Have gallery accommodations assigned by the Speaker. (1731) *Rule XXXV.*

DIRECTORY.

The Congressional Directory. (1760) *Revised Statutes, sections 77, 3801; 22 Stat. L., p. 642.*

DISABILITIES.

A person who, having taken the oath, afterwards engages in insurrection or rebellion, is disqualified as a Member; but the disability may be removed by a two-thirds vote. *Constitution, Article XIV, section 3, p. 45.*

Bills removing political disabilities are private bills. (455) *Supplement, Revised Statutes, vol. 2, p. 349; 28 Stat L., section 55, p. 609.*

Bills removing political disabilities are considered at Friday evening sessions. (1438) *Rule XXVI, section 2.*

Political disabilities arising from the civil war have been removed. *30 Stat. L., p. 432.*

DISAGREEMENT.

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

DISAGREEMENT—Continued.

The regular progression for disagreeing, insisting, and adhering in amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, pp. 205, 206.*

One House may disagree to the amendments of the other, leaving it for the latter House to ask for the conference, or may ask the conference as soon as the vote of disagreement is passed. (1368, 1369) *1-35, Journal, p. 711; 2-35, Journal, p. 564; 1-56, Record, pp. 6475, 6485, Journal, pp. 658, 663; 2-58, Record, pp. 5316, 5408, 5512, 5534, 5558.*

The House may disagree to certain Senate amendments to a bill, agree to others with amendments, and ask a conference only on the disagreement, leaving to the Senate to agree or disagree to the amendments to Senate amendments. *2-59, Record, pp. 1305, 1541-1552.*

A bill with Senate amendments having reached the stage of disagreement, is privileged. *1-57, Record, p. 7113.*

The motion to ask for a conference comes properly after the motion to disagree, insist, or adhere. (1367) *1-29, Journal, pp. 695, 697, Globe, p. 701.*

The motion to ask for a conference is distinct from motions to agree or disagree to Senate amendments. *2-56, Record, pp. 2257, 2258.*

A conference may be asked before there has been a disagreement. (1366) *Jefferson's Manual, Section XLVI, p. 208.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. (1321) *Jefferson's Manual, Section XLV, p. 206; 1-57, Record, pp. 4531, 4541, 4542, 4593, 4601, 4629, 4642.*

When the House disagrees to a Senate amendment after amending it, the adopted amendment is of no effect. *1-57, Record, pp. 4531, 4541, 4542.*

In case of a prolonged disagreement new conferees were appointed at each conference. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.* But such is not the present practice. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

Respective duties of the House and Senate as to receding from disagreements over appropriation bills. (1365, footnote) *1-54, Record, pp. 6379, 6417, 6422; 2-55, Record, pp. 6536-6544.*

A committee of conference having disagreed, a motion for a new conference is privileged; but steps may not be taken in this direction until the House is in possession of the papers. (1372) *1-52, Journal, p. 229, Record, p. 5369.*

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. *2-56, Journal, pp. 169, 170, Record, p. 1625.*

DISAGREEMENT—Continued.

An instance of prolonged disagreement, ending in adherence by both Houses. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

DISAGREEMENT AS TO ADJOURNMENT.

The President may convene both Houses or either of them, and in case of disagreement as to adjournment may adjourn them. (1486) *Constitution, Article II, section 3, p. 23.*

DISAPPROVAL.

Provisions of the Constitution relating to the approval and disapproval of bills by the President. (1466) *Article I, section 7, p. 7.*

DISCHARGE OF A COMMITTEE.

It is in order to discharge a committee from the consideration of a resolution which involves a question of privilege. (101) *2-51, Journal, p. 120, Record, pp. 1196-1200.*

A motion to discharge a committee from the further consideration of a vetoed bill is always in order. (435) *1-49, Journal, p. 2397.*

A motion to discharge a committee from the consideration of a contested election case presents a question of the highest privilege. (113) *1-49, Record, p. 7403.*

A request of the Senate for the return of a bill, no error being alleged, does not make in order a motion in the House to discharge the committee having possession of the bill. *1-59, Record, pp. 5768-5769, 5816.*

The question of consideration may not be demanded against a motion to discharge a committee. *3-58, Record, p. 4021.*

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a question of privilege. (426-430) *1-47, Journal, p. 1124, Record, p. 3275; 1-49, Journal, p. 1420, Record, pp. 3929, 3939; 2-51, Record, pp. 2456, 2457; 1-52, Journal, pp. 107, 296, Record, pp. 2192, 6218.*

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. (431) *1-53, Journal, pp. 106, 107.*

The week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or the last day. *1-57, Record, p. 7771.*

A motion to discharge the Committee of the Whole from the consideration of a measure which has not been concluded in committee is not in order. (731) *2-45, Journal, p. 619.*

DISCHARGE OF A COMMITTEE—Continued.

Under former Rule 104 it was decided that a motion to discharge the Committee of the Whole from the consideration of a measure which had been partly considered in that committee was not a privileged motion. (440) *2-45, Journal, p. 619, Record, p. 1601.*

The House, but not the Committee of the Whole, may, by unanimous consent, discharge a standing committee from the consideration of a bill. *1-57, Record, pp. 2256-2259.*

The Committee on Rules has jurisdiction to report a resolution for the consideration of a measure, even though the effect be to discharge a committee from a matter pending before it. (1542) *3-53, Journal, p. 104.*

A motion to discharge a committee from the consideration of a matter when in order is not debatable. *1-56, Record, p. 6445.*

It is in order to lay on the table a motion to discharge a committee. *1-57, Record, p. 6811, Journal, p. 805.*

DISORDER.

See "Order."

DISQUALIFICATIONS.

See "Qualifications."

DISQUALIFYING INTEREST.

See "Personal interest."

DISTRIBUTION.

The method of referring and distributing the President's message. (1461-1462) *2-55, Record, p. 11; 1-54, Record, p. 26; 1-51, Record, p. 92; 1-52, Record, p. 20; 1-55, Record, p. 19; 1-51, Record, p. 188.*

DISTRICT OF COLUMBIA.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

The second and fourth Mondays of each month are set apart for business presented by the Committee on the District of Columbia. (1442) *Rule XXVI, section 3.*

The question of consideration may not be raised against District of Columbia business as a class, but may be raised against the bills individually. (822, 823, 1444, 1445) *1-47, Journal, p. 1540, Record, p. 5349; 2-50, Journal, p. 239, Record, p. 762.*

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. (1444) *2-53, Journal, p. 425, Record, p. 6121; 1-59, Record, p. 7567.*

DISTRICT OF COLUMBIA—Continued.

The Committee on the District of Columbia may not on a District day call up a bill reported from another committee. (1446) *2–54, Record, p. 913.*

On District of Columbia day a motion is in order to go into Committee of the Whole House to consider a private bill reported by the Committee on the District of Columbia. *2–59, Record, p. 1848.*

The payment of one-half of District of Columbia expenses out of District revenues is in order on appropriation bills other than the District bill. *1–56, Record, pp. 1893–1896.*

DISTRICT OF COLUMBIA, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (642) *Rules X, XI, section 34.*

DIVISION.

Rule for putting the question and for voting by division and tellers. (46) *Rule I, section 5.*

If difficulty arise on a point of order during a division the Speaker decides peremptorily, subject to future censure of the House. (1123) *Jefferson's Manual, Section XLI, p. 201.*

If a quorum fail on a division the matter continues exactly as it was, and must be resumed at that point. (1123) *Jefferson's Manual, Section XLI, p. 201.*

A division having commenced, debate is thereby precluded. (1169) *2–51, Journal, p. 157, Record, p. 1568; 2–58, Record, p. 2709.*

A conference report, though highly privileged, is not in order during a roll call or while the House is dividing. (1391) *Rule XXIX.*

A conference report has precedence of the question on the reference of a bill, even though the yeas and nays have been ordered. (1398) *1–52, Journal, p. 263, Record, pp. 5774, 5802.*

A conference report may be presented after the vote by tellers, and pending the question on ordering the yeas and nays. (1399) *1–54, Record, p. 5916.*

In Committee of the Whole, a motion that the committee rise may not be made until a demand for tellers on the pending question has been disposed of. *2–58, Record, pp. 2709, 2710; 1–59, Record, p. 3301.*

While the Committee of the Whole is dividing on a motion, a new motion may not be made. *3–58, Record, pp. 3530, 3531.*

DIVISION OF QUESTION.

On the demand of any Member, before the question is put, a question shall be divided if it include propositions so distinct as to admit of division. (1132) *Rule XVI, section 6.*

DIVISION OF QUESTION—Continued.

In deciding as to dividing a question, the Chair considers only the existence of substantive propositions, and not the merits of the questions presented. *2-59, Record, p. 4509.*

The motion to strike out and insert is not divisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert. (1044) *Rule XVI, section 7.*

On a motion to strike out a resolution and insert several connected resolutions the question is not divisible. (1133) *1-31, Globe, p. 1310.*

The substitute resolutions presented in a contested election case are on the same footing as other amendments of that kind, and are not divisible. *2-57, Journal, p. 291, Record, p. 2726.*

Substitute resolutions offered as an amendment are not divisible; but when agreed to, a division of the original as amended may be demanded. *2-58, Record, pp. 1865, 1866.*

A division of the question is not in order on a motion to commit with instructions or on the different branches of the instructions. (1134-1136) *1-17, Journal, p. 507; 1-31, Journal, pp. 1395-1397, Globe, p. 1756; 1-32, Journal, p. 611, Globe, p. 1124; 2-58, Record, p. 2449.*

On a resolution for the adoption of a series of rules which were not presented as a part of the resolution it was held not in order to demand a separate vote on each rule. *1-57, Record, p. 48.*

A single proposition with modifications may not be divided for the vote. *1-57, Record, p. 48, Journal, p. 8.*

When it is proposed to amend by inserting or adding, the matter is divisible if it contain more than one substantive proposition. *1-57, Record, pp. 2902, 4629, 4634.*

An amendment reported from the Committee of the Whole as an entire and distinct proposition may not be divided, but must be voted on as a whole. (1112-1121) *1-28, Journal, p. 1061, Globe, p. 653; 1-29, Journal, pp. 366, 642, Globe, pp. 348, 349; 1-30, Journal, p. 1059, Globe, p. 948; 2-51, Journal, p. 167; 2-53, Journal, pp. 130, 445, Record, pp. 1795, 6736, 6737.*

On the votes on the engrossment and third reading and on the passage a division so as to vote separately on various propositions of the bill may not be demanded. (1137) *1-53, Journal, pp. 21, 22.*

After the question has been put, it is too late to demand a division. (1138) *2-53, Journal, p. 143, Record, p. 2001.*

A division of the question may not be demanded after the question has been put and the yeas and nays have been ordered. (1139, 1140) *1-54, Record, p. 5914; 2-54, Record, p. 1042.*

A division of the motion to recede and concur may be demanded. *1-57, Record, pp. 7391, 7392.*

DIVISION OF QUESTION—Continued.

A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. *2-59, Record, p. 4123.*

A conference report must be acted on as a whole. *2-56, Record, p. 3084; 1-57, Record, p. 7595.*

A division of the question may not be demanded on a vote on suspension of the rules. *1-59, Record, p. 6466.*

DOCUMENTS.

Public documents defined. (1748) *18 Stat. L., p. 237.*

The law gives specific directions as to the number of bills to be printed, the ordering of the same, and the publication of documents. (1750) *28 Stat. L., pp. 608, 609 et seq.*

General provisions of the statutes relating to printing and engraving. (1749) *Revised Statutes, section 3779.*

Illustrations in documents or reports are printed only on express authorization of the House. *33 Stat. L., p. 1213; 1-59, Record, p. 360.*

The rules regulating the printing of bills, reports, resolutions, and documents. (1746) *Rule XLV.*

A message of the President is usually communicated to both Houses on the same day, but an original document accompanying can of course be sent to but one House. (1449, 1454, 1455) *Jefferson's Manual, Section XLVII, p. 211; 1-35, Journal, p. 270, Globe, p. 533; 2-55, Record, pp. 3285, 3286.*

The documents accompanying a message of the President are not printed in the Record. (1687) *1-54, Record, p. 834.*

The reading of the document accompanying a message of the President may not be demanded as a matter of right. (1246, 1247) *2-44, Journal, pp. 294-297. Record, p. 925; 2-53, Journal, pp. 37-41, Record, pp. 374, 375.*

Division of documents among Members. (1748) *28 Stat. L., pp. 609, 612, 624.*

A Member is notified once in sixty days of the number and character of documents assigned to him. (1721) *28 Stat. L., p. 612.*

Limit of time for the withdrawal of documents by a retiring Member. (1748) *28 Stat. L., p. 612.*

The time allowed Members who may be reelected for distributing documents continues during their successive terms and until their right to frank documents ceases. *30 Stat. L., p. 217.*

Binding of public documents for Members. (1748) *28 Stat. L., p. 624.*

DOCUMENTS—Continued.

Public documents may not be delivered to officers or employees, except under certain conditions. (1748) *28 Stat. L., p. 624.*

Bound copies of the Journals are distributed from the document room. (1748) *28 Stat. L., p. 609.*

The Clerk preserves for each Member a copy of documents printed by either of the two Houses. (1712) *Rule III, section 3.*

DOCUMENT ROOM.

Doorkeeper appoints superintendent of document room and his assistants. (1721) *28 Stat. L., p. 612.*

Bound copies of the Journals are distributed from the document room. (1748) *28 Stat. L., p. 609.*

DOORKEEPER.

(*a*) *In general.*

(*b*) *Relative to employees.*

(*a*) ***In general.***

Methods of election of. (1704) *Rule II.*

This officer is elected by *viva voce* vote, and is sworn to support the Constitution, to the faithful discharge of his duties, and to keep the secrets of the House, and appoints the employees of his department. (1704) *Rule II.*

The vacancy caused by the death of the Doorkeeper was after several days filled by the House by election. *1–57, Record, pp. 2706, 2964, Journal, p. 489.*

On the announcement of the death of the Doorkeeper the House took appropriate action. *1–57, Journal, p. 458, Record, p. 2706.*

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall. (1718) *Rule V, section 1.*

A question of privilege has arisen over an alleged attempt of a Doorkeeper to arrest a Member leaving the Hall during a call of the House. (100 and footnote) *1–51, Journal, pp. 936, 937, Record, pp. 8374, 8375; 2–51, Record, p. 218.*

The Doorkeeper shall allow no one to enter the room over the Hall of the House during its sitting, and is charged with clearing the floor of persons not entitled to admission. (1720) *Rule V, section 3.*

In the absence of Clerk and Sergeant-at-Arms the Doorkeeper makes up the roll of Members at the beginning of Congress. (1721) *Revised Statutes, section 33.*

Statutes relating to the duties of the Doorkeeper. (1721) *Revised Statutes, sections 33, 72, 73; 2–42, Journal, pp. 952, 1056; 22 Stat. L., p. 337; 23 Stat. L., pp. 164, 393; 28 Stat. L., pp. 610, 612.*

DOORKEEPER—Continued.

(*a*) ***In general***—Continued.

The Doorkeeper is charged with the custody of furniture, books, and other public property in the committee and other rooms, and must account to the House and the Committee on Accounts. (1719) *Rule V, section 2.*

The Doorkeeper's inventory of furniture, etc., is reported to the House at the beginning and close of each session and referred to the Committee on Accounts for examination, etc. (1719) *Rule V, section 2.*

(*b*) ***Relation to Employees.***

The Doorkeeper is responsible for the official conduct of his employees. (1718) *Rule V, section 1.*

Employees under Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for which they were appointed, except in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

The Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall certify to their monthly pay rolls, stating whether or not the employees thereon have been present and performed their duties, etc., and neglect of this requirement is cause for removal. *31 Stat. L., p. 968.*

The Doorkeeper may assign one folder to do clerical work under the direction of the foreman of the folding room. *31 Stat. L., p. 968.*

The Doorkeeper appoints the superintendent of the folding room and of the document room, and assistants of latter. (1721) *28 Stat. L., p. 610.*

Messengers on the soldiers' roll are under control of the Doorkeeper. (1721) *23 Stat. L., pp. 164, 393; 2-4 Journal, p. 952.*

Janitors of committees are under direction of the Doorkeeper. *34 Stat. L., p. 394.*

DRAWING OF SEATS.

Rule regulating the drawing of seats, and its development. (6) *Rule XXXII.*

DUELING.

The Graves-Cilley duel, being occasioned by a question as to words spoken in debate, involved a breach of privilege. (166) *2-25, Journal, pp. 501, 502, 811, 858, 860, 861, Globe, pp. 200, 201, 320, 329, 494.*

Challenge of a Member by a Senator in 1796 was determined to be a breach of the privileges of the House. (156) *1-4, Journal, pp. 470-474, Annals, pp. 786-795.*

An explanation having been demanded of a Member for a question asked during a trial for contempt, the House did not take up the matter as a question of privilege. (163) *1-22, Journal, p. 740, Debates, pp. 3023-3036.*

EDUCATION, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (633) *Rule XI, section 25.*

ELECTIONS.

The House is the judge of the elections, returns, and qualifications of its own Members. *Constitution, Article I, section 5, p. 5.*

Members-elect, challenged at the organization of the House for alleged defects in their credentials or election, have generally been allowed to take the oath pending the examination of their cases. *1-37, Journal, pp. 12, 13, Globe, pp. 6, 7, 10, 13; 1-41, Globe, pp. 7, 10; 1-42, Globe, pp. 6, 7-10; 1-44, Record, pp. 167, 171, 172; 1-45, Record, pp. 54, 60, 69, 73, 88, 92, 93; 1-46, Record, pp. 6, 27; 1-47, Record, pp. 9, 11, 13, 14, 15; 1-53, Record, pp. 201, 202, 226-238.*

There being a question as to a Member's election, he was sworn in and his credentials were referred to a committee with instructions. *2-57, Journal, p. 6, Record, p. 4.*

The substitute resolutions presented in a contested election case are on the same footing as other amendments of that kind, and are not divisible. *2-57, Journal, p. 291, Record, p. 2726.*

The rules providing for the election and swearing in of the elective officers of the House. (1704) *Rule II.*

The Speaker is elected by a *viva voce* vote. (56) *1-35, Journal, p. 8.*

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. (58) *2-44, Journal, p. 8, Record, p. 5.*

The election of a Clerk of the House presents a question of privilege. (127) *1-31, Journal, p. 789.*

The election of a Chaplain has been held to constitute a question of privilege. (1723) *1-36, Journal, pp. 442, 443, Globe, p. 992.*

ELECTIONS, COMMITTEES ON.

Their powers, duties, jurisdiction, number of members, and history. (610) *Rule XI, section 1.*

Committees have leave to report at any time on certain measures. (398) *Rule XI, section 61.*

ELECTIONS, CONTESTED.

Proceedings in cases of contested elections. (21) *Revised Statutes, sections 105-130; 18 Stat. L., p. 338; 20 Stat. L., p. 400; 24 Stat. L., p. 445.*

ELECTIONS, CONTESTED—Continued.

No contestant or contestee is allowed over $2,000 for expenses; and a detailed statement thereof must be filed with the elections committee. *20 Stat. L., p. 400.*

The right of a Member to his seat presents a question of the highest privilege. (107–116) *1–26, Journal, pp. 1283, 1300; 1–29, Journal, p. 201, Globe, p. 158; 1–31, Journal, p. 1065, Globe, pp. 1315, 1317; 2–31, Journal, p. 119, Globe, p. 190; 2–44, Journal, p. 15, Record, p. 11; 1–48, Record, p. 5299; 1–49, Record, p. 7403; 1–51, Journal, p. 22, Record, p. 196; 1–53, Journal, pp. 157, 159.*

The question whether or not a Member's right to his seat, being a matter of privilege, need necessarily be first determined by a committee. (115, 116) *1–51, Journal, p. 22, Record, p. 196; 1–53, Journal, p. 159.*

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. (817, 818) *1–35, Journal, pp. 1083, 1085; 1–54, Record, pp. 6283, 6299.*

A motion to discharge a committee from the consideration of a contested-election case presents a question of the highest privilege. (113) *1–49, Record, p. 7403.*

The right of a Member to his seat may come up at any time as a question of privilege, even though the subject has been referred to a committee. (112) *1–48, Record, p. 5299.*

A resolution for the employment of a handwriting expert in an election case was admitted as privileged. *2–58, Record, p. 721, Journal, p. 142.*

A resolution providing for an investigation of the election of a Member presents a question of privilege. (114) *1–53, Journal, p. 157.*

Questions that have arisen over the effect of votes defeating resolutions declaring Members entitled to their seats, etc. (109, footnote) *1–31, Journal, p. 1065, Globe, pp. 1315, 1317; 1–30, Journal, p. 709, Globe, p. 643; 1–54, Record, p. 5915.*

The oath may not be administered to a Member-elect, even upon presentation of proper certificate, when the House is considering the question of his right to that seat. (22) *1–48, Journal, pp. 587, 588, Record, p. 1168.*

The contestant in an election case is sometimes allowed, by unanimous consent, to address the House in his own behalf. (843) *1–54, Record, pp. 1120, 1168.*

A contestant heard in his own behalf is subject to all the rules of debate applying to the Member. A speaker, being a contestee, was allowed to speak by unanimous consent. (840) *1–28, Journal, p. 1012, Globe, p. 648.*

ELECTION OF PRESIDENT.

The Constitution specifies what shall constitute a quorum of the House for the election of a President. (239) *Constitution, Article XII, p. 40.*

Rules for the election of a President by the House. (1768) *2-18, Journal, pp. 213, 215, 220, 222.*

ELECTION OF PRESIDENT, VICE-PRESIDENT, AND REPRESENTATIVES IN CONGRESS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (645) *Rule XI, section 37.*

ELECTORAL VOTE.

The law relating to counting the electoral vote. (1766) *24 Stat. L., p. 373.*

Preparations for the counting of the electoral vote. (1767) *2-54, Record, pp. 1462, 1480, 1643, 1662.*

Proceedings in relation to the electoral count of 1905. *3-58, Record, pp. 64, 459, 586, 918, 1156, 2052, 2062, 2089, 2090.*

EMPLOYEES.

(*a*) *In general.*

(*b*) *In relation to procedure.*

(*a*) *In general.*

The elective officers of the House continue until their successors take office, are sworn to the faithful discharge of their duties, to support the Constitution, and keep the secrets of the House; and appoint the employees in their departments. (1704) *Rule II.*

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. (1703) *Rule XLIII.*

It is the duty of the Committee on Accounts to inquire into and report violations of the rule forbidding officers or employees to be claim agents. (1703) *Rule XLIII.*

The representatives of an employee deceased before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. (1705) *Decisions Comptroller Treasury (Bowler), Vol. I, p. 310.*

In case of a month's extra pay an employee having an annual salary is entitled to one-twelfth of the sum of that salary. (1706) *Decisions Comptroller Treasury (Bowler), Vol. I, p. 397.*

Decision as to per diem employees in case of an appropriation for a longer time than their actual employment. (1707) *Decisions Comptroller Treasury (Bowler), Vol. I, p. 98.*

EMPLOYEES—Continued.

(*a*) *In general*—Continued.

An ordinary appropriation for session employees is not available at an extra session. (1708) *Decisions Comptroller Treasury* (*Bowler*), *1893, 1894, p. 45.*

The Clerk pays the officers and employees monthly. (1712) *Rule III, section 3.*

Employees in the heating, lighting, and ventilating departments of the Government are under charge of the Architect, subject to control of the Speaker. (1765) *21 Stat. L., p. 388.*

An employee may not hire another person to perform the duties of his position. (1709) *28 Stat. L., p. 771.*

No employee of the House shall sublet to another any portion of his duties. *31 Stat. L., p. 968.*

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for which they were appointed, except in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

The Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall certify to their monthly pay rolls stating whether or not the employees thereon have been present and performed their duties, etc., and neglect of this requirement is cause for removal. *31 Stat. L., p. 968.*

No more than one person may be appointed to one position under the authority of the House, and an employee may not divide his salary with another. *31 Stat. L., p. 968.*

The Committee on Accounts are required to investigate (with power to send for persons and papers and administer oaths) the management of the employees by the officers of the House, and report to the House once every session their compliance with this duty. *31 Stat. L., p. 968.*

The pages of the House, except the chief pages, riding pages, and telephone pages, shall not be under 12 or over 18 years of age. *31 Stat. L., p. 968.*

The library of the House is under the control and direction of the Librarian of Congress, and the librarian and three assistants are appointed by the Clerk with the approval of the Speaker; and removals must be for cause approved by the Committee on Rules. *31 Stat. L., p. 964.*

The Doorkeeper may assign one folder to do clerical work under the direction of the foreman of the folding room. *31 Stat. L., p. 968.*

Public documents may not be delivered to officers or employees except under certain conditions. (1748) *28 Stat. L., p. 624.*

The Doorkeeper appoints superintendent of document room and his assistants. (1721) *28 Stat. L., p. 610.*

EMPLOYEES—Continued.

(*a*) *In general*—Continued.

Messengers on the soldiers' roll are under control of the Doorkeeper. (721) *23 Stat. L., pp. 164, 393.*

(*b*) *In relation to procedure.*

A subject relating to the convenience of members and comfort of employees presents a question of privilege. (128) *1-47, Journal, p. 1469, Record, p. 4846.*

Questions of privilege involved in alleged misconduct of an officer or employee of the House. (132) *1-44, Journal, pp. 868, 948, Record, p. 2771.*

Paragraphs in the general deficiency appropriation bill providing for the payment of certain sums to certain employees of the House for services were held to be subject to the point of order, as such expenditure had not been previously authorized by the House. (548) *2-54, Record, pp. 2058, 2061.*

The recommendation of a committee of the House is not authorization sufficient to justify appropriations for House employees on the deficiency bill. *2-56, Record, pp. 2780, 2781.*

Paragraphs in the general deficiency appropriation bill providing for the payment of certain sums to certain employees of the House for services were held to be subject to the point of order, as such expenditure had not been previously authorized by the House. *2-56, Record, pp. 2788, 2789.*

The proposition to pay the employees of the House and Senate an extra month's pay has been held to be subject to the point of order. (558) *2-54, Record, p. 2063.*

The House having passed a resolution from the Committee on Accounts directing the Committee on Appropriations to provide for paying a certain sum to a certain employee, an amendment to effect this purpose was held to be in order. (545) *1-50, Record, p. 7057; 2-57, Journal, p. 237, Record, pp. 2070, 2072; 3-58, Record, pp. 75, 76; 1-59, Record, p. 9401.*

To a resolution providing in general terms for the employment of additional employees in the service of the House, an amendment providing for the employment of a particular individual was offered and held not to be in order. (1076, 1077) *1-51, Journal, p. 293; 1-54, Record, p. 513.*

A law authorizing the employment of "watchmen, laborers, and other employees" was held not to contemplate such officials as superintendents and clerks in a Department. *1-57, Record, pp. 1466, 1467.*

ENACTING CLAUSE.

The forms of enacting and resolving clauses of bills and joint resolutions are prescribed by statute. (455) *Revised Statutes, sections 7, 8, 9, 10, 11.*

Enacting and resolving words must be confined to the first section of bills and resolutions. (455) *Revised Statutes, section 9.*

The rule governing the motion to strike out the enacting clause. (938) *Rule XXIII, section 7.*

The motion to strike out the enacting clause has precedence of the motion to amend. (938) *Rule XXIII, section 7.*

The motion to strike out the enacting clause applies in Committee of the Whole. *1-56, Record, p. 4887.*

In Committee of the Whole a motion to strike out the enacting clause is debatable five minutes on either side. (941) *2-47, Record, pp. 60-62; 1-57, Record, p. 6567.*

The motion to strike out the enacting clause may not be made until the first section of the bill has been read. *1-57, Record, p. 5336.*

The reading of a bill for amendment in Committee of the Whole being concluded, a motion to strike out the enacting clause is not in order. *1-59, Record, pp. 7089-7091.*

A point of order against the motion to strike out the enacting clause must be made before debate has begun. *1-57, Record, pp. 6634, 6635.*

A bill being reported from the Committee of the Whole, with the recommendation that the enacting clause be stricken out, the question of concurrence is debatable in the House and the motion to lay on the table is not in order. (939, 940) *1-43, Journal, p. 629, Record, p. 2342; 2-53, Journal, pp. 21, 22, Record, pp. 120, 121.*

When the House disagrees to the recommendation of the Committee of the Whole that the enacting clause of a bill be stricken out, the bill returns to the first place on the Calendar of the Committee of the Whole House, or to its former place on the Union Calendar. (942) *1-51, Record, pp. 2237, 2238; 1-56, Record, p. 6250.*

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. (1282) *1-55, Record, p. 352.*

An amendment reported from Committee of the Whole striking out all after the enacting clause of a bill and inserting new matter is, when reported, treated like any other amendment reported from that committee. (442) *2-49, Record, p. 1060.*

ENGRAVING.

General provisions of the statutes relating to engraving. (1749) *Revised Statutes, section 3779.*

ENGROSSMENT.

The rule for the reading, engrossment, and passage of bills. (467) *Rule XXI, section 1.*

It is not necessary that a committee report on the accuracy of the engrossed copy of a bill. (474) *1-51, Journal, p. 984, Record, p. 9104.*

It is the right of a Member to demand at the proper time the reading in full of the engrossed copy of a bill. (470–472) *2-48, Record, p. 2251; 2-49, Record, p. 1062; 1-54, Record, p. 3540; 2-58, Record, p. 5152.*

Pending the demand for the previous question on the passage of a bill, or even after it is ordered, the reading of the engrossed copy may be demanded. (471) *2-49, Record, p. 1062; 2-58, Record, p. 5152.*

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. *1-56, Record, pp. 6251, 6252.*

After the yeas and nays have been ordered on the passage of a bill it is too late to demand the reading of the engrossed bill. (473) *1-52, Journal, p. 225.*

It is not in order to demand the reading of the engrossed copy of a bill which is presented as the subject of a conference report. (472, footnote) *1-44, Journal, p. 1423; 1-52, Record, p. 4586; 1-54, Record, p. 3540.*

Procedure in case of the loss of the engrossed copy of a bill. (475) *2-54, Record, p. 406.*

The House may not consider a Senate bill unless in possession of the engrossed copy, but may at once direct that the Clerk request a duplicate engrossed copy of the bill. *2-59, Record, pp. 4257–4260.*

A bill recommitted with instructions under section 1 of Rule XVII and reported back must again be passed to be engrossed and read a third time, and, this having been done, may be again the subject of a motion to recommit when the question recurs on the passage. (996) *1-49, Journal, pp. 2168–2170, Record, pp. 6757, 6758.*

On the votes on the engrossment and third reading and on the passage a division, so as to vote separately on various propositions of the bill, may not be demanded. (1137) *1-53, Journal, pp. 21, 22.*

It is in order, pending the demand for the previous question on the passage of a bill, to move the reconsideration of the vote on engrossment. (1221) *2-27, Journal, p. 1175, Globe, p. 799.*

ENROLLMENT OF BILLS.

The enrolling, signing, and presentation of bills to the President. (478, 1750) *Jefferson's Manual, Section XLVIII, p. 212; Supplement Revised Statutes (1892–1895), p. 414; 28 Stat. L., p. 769.*

ENROLLMENT OF BILLS—Continued.

By usage of the House, reports of the Committee on Enrolled Bills may be presented pending the announcement of the vote that the House adjourn. (443) *1-43, Record, p. 2338.*

The chairman of the Committee on Enrolled Bills reports daily the enrolled bills presented to the President of the United States for approval. *1-57, Journal, p. 346, Record, p. 1778.*

There being doubt about the signing of enrolled bills by a Speaker *pro tempore* designated by the Speaker, the House proceeded to elect, and informed the Senate and President of its action. (60) *2-55, Record, p. 6757.*

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. *1-57, Record, p. 7195.* But in another instance a similar request was granted. *2-57, Journal, p. 284, Record, p. 2648.*

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. *2-58, Journal, p. 361, Record, p. 2581.*

The alleged improper alteration of a bill presents a question of privilege. (131) *1-33, Journal, p. 1194.*

There having been no unreasonable delay in transmitting an enrolled bill to the President, a resolution relating thereto was decided not to present a question of privilege. (195) *1-50, Journal, p. 2809, Record, p. 8787.*

Enrolled bills are sometimes corrected by concurrent resolutions. (476, 477) *1-54, Record, p. 5243; 2-55, Record, p. 5770; 2-56, Record, p. 2145; 2-57, Journal, p. 238, Record, p. 2092; 1-59, Record, pp. 5308, 5310.*

Enrolled bills are sometimes presented to the House and signed by the Speaker during an informal rising of the Committee of the Whole. (670) *2-35, Globe, p. 1417; 2-46, Record, p. 3028.*

The process of recalling from the President and amending an enrolled bill. *2-56, Journal, p. 178, Record, p. 1762; 2-58, Record, pp. 2740, 2839, 3509; 1-59, Record, pp. 2475, 2506, 2553, 2889, 2900, 3050, 3102.*

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. *2-56, Journal, p. 85, Record, p. 553.*

Instance of reconsideration of a bill which has passed both Houses. *2-58, Record, pp. 2711, 2736, 5221, 5286, 5303.*

Recall of an enrolled bill for amendment. *2-56, Journal, p. 194, Record, p. 1971.*

A question as to the disposition of an enrolled bill in a case where the beneficiary of its provisions had died. *1-57, Record, pp. 5800, 5813, Journal, p. 733.*

ENROLLED BILLS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (656) *Rule X, Rule XI, section 58.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

ERRORS.

(*a*) *In general.*
(*b*) *In a vote.*

(*a*) ***In general.***

Enrolled bills are sometimes corrected by concurrent resolutions. (476, 477) *1–54, Record, p. 5243; 2–55, Record, p. 5770; 2–56, Record, p. 2145; 2–57, Record, p. 2092, Journal, p. 238; 1–59, Record, pp. 5308, 5310.*

The erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it. *2–56, Journal, p. 186, Record, pp. 1849, 1850; 1–59, Record, pp. 1721–1722.*

A bill having been sent from the House to the Senate by error, a resolution to recall it was decided to be privileged. (481) *3–53, Record, p. 2093.*

Process of recalling a bill from the Senate in order to correct an error in the number. *1–59, Record, pp. 3006, 3359.*

An error in the Congressional Record having been corrected, a question of privilege may not arise therefrom. (198) *1–52, Journal, p. 340, Record, p. 6896.*

During consideration of a bill by sections for amendments the Chair may direct a return to a section where, by error, no action was had on a pending amendment. *1–57, Record, p. 6767.*

A question of privilege as to an alleged error in the Record may not be raised until the Record has appeared. *1–56, Record, p. 4616.*

An error in the Congressional Directory does not present a question of privilege. (199) *2–52, Journal, p. 101, Record, p. 1940.*

If a messenger commit an error he may be recalled to rectify it. (1449) *Jefferson's Manual, Section XLVII, p. 210.*

(*b*) ***In a vote.***

When a Member's vote is incorrectly recorded it is his right, on the next day, while the Journal is before the House for approval, to have the proper correction made. (1179) *2–30, Journal, p. 211, Globe, p. 172.*

It is the right of a Member to have an erroneous record of his vote corrected after the announcement of the result. (1181, 1182) *1–38, Journal, pp. 586, 587, Globe, p. 1941; 1–52, Journal, pp. 113–115, Record, pp. 2548, 2549.*

ERRORS—Continued.

(*b*) ***In a vote***—Continued.

It is not permissible to entertain the request of a Member to record his vote after he has failed to respond because his attention was distracted when his name was called. *1-57, Record, p. 2605.*

The fact that a Member responded under an erroneous belief as to a pair does not justify the Speaker in entertaining a request to change the record after a vote is declared. *2-58, Record, p. 4574.*

Where, by an error of the Clerk in reporting the yeas and nays, the Speaker announces a result different from that shown by the roll, the status of the question must be determined by the vote as actually recorded. (1183) *1-49, Record, pp. 7545, 7546; 1-57, Record, pp. 5928-5930.*

A vote having been erroneously announced in such a way as to change the true result, subsequent proceedings in connection therewith fell, and the Journal was amended accordingly. (1184) *1-31, Journal, p. 1436, Globe, pp. 782, 783; 2-58, Journal, pp. 75, 80, Record, pp. 385, 386, 403.*

When, through an erroneous announcement of the vote, the House is declared adjourned, and in fact disperses, the session, when it next meets, is a new legislative day. (1493) *2-49, Record, p. 314.*

Proceedings of the House based upon the erroneous announcement of a vote have been treated as a nullity, and a motion to insert them in the Journal was ruled out of order. (234) *1-29, Journal, p. 1032, Globe, p. 1058.*

After the Chair has declared the result of a vote by tellers, he may not order the vote taken again because of alleged irregularities. (1141) *1-29, Globe, p. 347.* But a mistake in the report may be rectified. (*Jefferson's Manual, p. 199.*)

Before the Chairman had declared the result of a vote by tellers, a question arose as to the count, and by unanimous consent the vote was taken again. *2-58, Record, p. 2280.*

The House having voted to approve the Journal of the preceding day, a resolution relating to an alleged error in a vote of that day was decided not to present a question of privilege. (197) *2-51, Journal, p. 283, Record, p. 3083.*

ESTIMATES.

The rule governing the transmittal of estimates and other Executive communications. (348) *Rule XLII.*

All estimates of appropriations are transmitted through the Secretary of the Treasury. *23 Stat. L., p. 254.*

ESTIMATES—Continued.

All officers making estimates are to furnish the same to the Secretary of the Treasury by October 15 of each year. *31 Stat. L., p. 1009.*

Estimates of expenses of the Government are to be prepared and submitted according to the order and arrangement of the appropriation acts of the year preceding. *34 Stat. L., p 448.*

EULOGIES.

See "Ceremonies."

EVENING SESSIONS.

Each Friday at 5 p. m. the House takes a recess until 8 p. m., for an evening session, for consideration of private pension bills and bills removing charges of desertion and political disabilities. (1438) *Rule XXVI, section 2.* By special order in this Congress evening sessions are suspended. (*Note, Rule XXVI.*)

Friday being taken by order of the House for business other than the regular order, the evening session was thereby vacated. (1439) *1-52, Journal, pp. 274-277, Record, p. 5919.*

When the House adjourns before 5 p. m. Friday, the evening session is thereby vacated. (1440) *1-54, Record, p. 6174.*

After the House has met after the recess, Friday evening, under the rule it is too late to make a point of order against taking up the business specified by the rule. (1441) *2-54, Record, p. 603.*

EXCLUSION.

The House excluded Brigham H. Roberts for disqualification. *1-56, Record, pp. 5, 38-53, 1072-1104, 1123-1149, 1175-1217, Journal, pp. 6, 34, 187, 192, 196-198, Report H. of R. No. 85.*

EXCUSES.

See "Call of the House."

EXECUTIVE COMMUNICATIONS.

The rule governing the transmittal of estimates and other Executive communications. (348) *Rule XLII.*

EXECUTIVE EXPENSES.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

EX-MEMBERS.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. *1-56, Record, p. 2792, Journal, p. 338.*

EXISTING LAW, CHANGE OF.

See "Appropriation bills."

EXPENDITURES IN THE VARIOUS DEPARTMENTS, COMMITTEES ON.

Their powers, duties, jurisdiction, number of Members, and history. (650) *Rule XI, sections 42–52.*

EXPOSITIONS.

Subjects relating to, belong to the jurisdiction of the Committee on Industrial Arts and Expositions. *Rule XI, section 60.*

EXPULSION OF MEMBERS.

See "Members."

EXPUNGE.

Less than a quorum may not expunge anything from the Journal. (338) *2–52, Journal, p. 107, Record, p. 1994.*

EXTRA SESSION.

An ordinary appropriation for session employees is not available at an extra session. (1708) *Decisions of First Comptroller (Bowler), 1893, 1894, p. 45.*

FEES.

Statutes in relation to. (1761) *Revised Statutes, sections 53, 71.*

FILES OF THE HOUSE.

See "Papers."

FINES.

During a call penalties have been imposed which contemplated the future appearance at the bar of absent Members. (321) *2–27, Journal, p. 672.*

FISHERIES.

Subjects relating to, belong to the jurisdiction of the Committee on the Merchant Marine and Fisheries. (618) *Rule XI, section 9.*

FIVE-MINUTE DEBATE.

See "Debate."

FIX THE DAY TO WHICH THE HOUSE SHALL ADJOURN.

See "Adjournment."

FLOOR OF THE HOUSE.

The persons having the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

FLOOR OF THE HOUSE—Continued.

The Speaker may not entertain a request to suspend the rule relating to admission to the floor of the House. (1740) *Rule XXXIV.*

Rigid enforcement of the rule forbidding requests for extension of the privileges of the floor. *2–56, Record, p. 395.*

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall. (1718) *Rule V, section 1.*

The rule relating to admission to the privileges of the floor applies to the Committee of the Whole and its Chairman as well as to the House and the Speaker. (1744) *2–53, Journal, p. 90, Record, p. 840.*

The Doorkeeper shall allow no one to enter the room over the Hall of the House during its sitting, and is charged with clearing the floor of persons not entitled to admission. (1720) *Rule V, section 3.*

An alleged violation of the rule relating to admission to the floor is a question of privilege. (129) *1–49, Journal, p. 781, Record, p. 1905.*

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. *1–56, Record, p. 2792, Journal, p. 338.*

A resolution relating to an alleged abuse of the privileges of the floor does not present a question of higher privilege than a contested election case. (439) *1–48, Record, p. 4406.*

The Speaker may allow to representatives of the news associations the privileges of the floor. (1742) *Rule XXXVI, section 2.*

FOLDING ROOM.

The Doorkeeper appoints the superintendent of the folding room. (1721) *28 Stat. L., p. 612.*

The Doorkeeper may assign one folder to do clerical work under the direction of the foreman of the folding room. *31 Stat. L., p. 968.*

FOREIGN AFFAIRS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (620) *Rule X, Rule XI, section 11.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

Although there is a specific rule giving to Insular Affairs the jurisdiction of matters relating to Cuba, the House has decided that they belong rather to Foreign Affairs. *2–59, Record, pp. 602–604.*

Subjects relating to the relations of the United States with other nations or peoples do not, therefore, involve questions of privilege. (206–210) *2–53, Journal, pp. 50, 51, 520, 521, Record, pp. 468, 8003.*

FOREIGN MINISTERS.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Speaker assigns gallery accommodations to the President, members of the Cabinet, justices of the Supreme Court, foreign ministers, and persons admitted on the card of Members. (1741) *Rule XXXV.*

FOREIGN RELATIONS.

A resolution recommending the recall of a foreign minister of the United States does not present a question of privilege. (202) *2-53, Journal, p. 203, Record, p. 2425.*

A communication to the House from a foreign sovereign was transmitted through the State Department, read to the House, and entered on the Journal. *2-56, Journal, p. 145, Record, p. 1317.*

Congratulations of the House at the appearance of a new nation. *1-57, Journal, p. 726, Record, p. 5674.*

FORESTRY.

Subjects relating to, belong to the jurisdiction of the Committee on Agriculture. (619) *Rule XI, section 10.*

FORMS.

The form of putting the previous question. (1045, footnote.)

Forms of resolution adopted for final adjournment, thanks to the Speaker, and notification of the President. (1531, 1532) *2-54, Record, pp. 2981, 2986; 1-55, Record, p. 2973; 2-55, Record, p. 6801.*

Of resolutions authorizing the holiday recess. (1516) *1-39, Journal, pp. 107, 108; Globe, p. 127.*

For putting the question on the reconsideration of a vetoed bill. (1468, footnote) *2-54, Record, p. 1183.*

For limiting general debate in Committee of the Whole. (734, footnote.)

Of motion for arrest of absent Members during a call of the House. (332) *1-51, Journal, p. 527, Record, p. 3903.*

Of resolutions offered at the death of a Member. *1-56, Record, pp. 2636, 3011.*

Of memorial resolutions for deceased Members. *3-55, Record, p. 1760*

Of special order for giving time to a committee for presenting bills. (1313, 1314) *1-54, Record, pp. 5381, 5466.*

Of special orders generally. (1254–1320) *2-58, Journal, p. 628, Record, p. 5094.*

FORMS—Continued.

For electing a Speaker *pro tempore* and notifying the Senate and President. (60) *2–55, Record, p. 6757.*

For designating a Speaker *pro tempore.* (60) *2–55, Record, p. 6757.*

Of report by Chairman of Committee of the Whole. (749, 754, 1652) *1–51, Journal, p. 485, Record, p. 3504; 2–31, Journal, p. 346, Globe, p. 679; 2–49, Record, p. 1059.*

Form of resolution accepting from a State a statue for Statuary Hall. *1–58, Journal, p. 224, Record, pp. 1421–1446.*

FORTHWITH, TERM AS USED IN INSTRUCTIONS.

A bill may be recommitted with instructions that it be reported "forthwith," and the report may be made at once by the chairman of the committee, and is not subject to the point that it must be considered in Committee of the Whole if it has previously been considered there. (1022) *2–51, Journal, pp. 312–321, Record, pp. 3505–3508.*

A bill recommitted under Rule XVII with instructions that it be reported "forthwith" was, when reported again, passed to be engrossed and read a third time. *2–58, Journal, pp. 225, 227, Record, pp. 1428, 1429, 1469.*

FORTIFICATIONS.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

FRANKING PRIVILEGE.

See "Members."

FRIDAY.

See "Private business."

FUNERAL.

See "Ceremonies."

FURNITURE.

The Doorkeeper is charged with the custody of furniture, books, and other public property in the committee and other rooms, and must account to the House and to the Committee on Accounts. (1719) *Rule V, section 2.*

The Superintendent of the Capitol supervises the repairs and plans and specifications of all furniture of the House. *32 Stat. L., p. 125.*

GALLERIES.

The Speaker preserves order in the galleries. (42) *Rule I, section 2.*

GALLERIES—Continued.

Rigid enforcement of the rule relating to disturbance in the galleries. (43) *2-6, Annals, pp. 851, 887.*

In forming a Committee of the Whole the Speaker leaves the chair, after appointing a chairman, who has power to cause the galleries or lobby to be cleared. (724) *Rule XXIII, section 1.*

A Committee of the Whole may not punish a breach of order on the floor or in the gallery, but must rise and report to the House. (1627) *Jefferson's Manual, Section XXX, p. 172.*

The rule regulating admission to the galleries. (1741) *Rule XXXV.*

In times of great interest the House sometimes makes a special rule for admission to the galleries. (1745) *2-55, Record, pp. 3634, 3635.*

The Speaker assigns gallery accommodations to the President, members of the Cabinet, justices of the Supreme Court, foreign ministers, and persons admitted on the cards of Members. (1741) *Rule XXXV.*

To the Members' gallery the Speaker issues one card to each Member, for his family and visitors, and in this gallery the Speaker controls one bench. (1741) *Rule XXXV.*

The rule relating to the accommodation of newspaper reporters and correspondents on the floor and in the press gallery. (1742) *Rule XXXVI, section 2.*

GENERAL APPROPRIATION BILLS.

See "Appropriation bills."

GENERAL DEBATE.

See "Debate."

GENERAL DEFICIENCY BILL.

See "Appropriation bills."

GERMANE AMENDMENTS.

See "Amendments."

GOVERNORS OF STATES.

Entitled to the privileges of the floor of the House during its sessions. *Rule XXXIV.*

GROUNDS, PUBLIC.

Subjects relating to, are under jurisdiction of the Committee on Public Buildings and Grounds. (630) *Rule XI, section 22.*

GUAM.

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

HALL OF THE HOUSE.

The Speaker has control of the Hall, the corridors, and unappropriated rooms. (44) *Rule I, section 3.*

The Hall of the House is used only for the legislative business of the House, for caucus meetings of its Members, and for ceremonies in which the House votes to participate, and the Speaker may not entertain a motion to suspend the rule. (1739) *Rule XXXIII.*

The Doorkeeper is required to enforce strictly the rules relating to the privileges of the Hall, and is responsible for the official conduct of his employees. (1718) *Rule V, section 1.*

The Doorkeeper shall allow no one to enter the room over the Hall of the House during its sitting, and is charged with clearing the floor of persons not entitled to admission. (1720) *Rule V, section 3.*

A resolution from the Committee on Ventilation and Acoustics relating to the comfort of Members in the Hall was presented as a question of privilege and received as such. (1738) *2-53, Journal, p. 421, Record, pp. 5924, 5989.*

The persons having the privilege of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Speaker may not entertain a request to suspend the rule relating to admission to the floor of the House. (1740) *Rule XXXIV.*

The rule relating to admission to the privilege of the floor applies to the Committee of the Whole and its Chairman as well as to the House and the Speaker. (1744) *2-53, Journal, p. 90, Record, p. 840.*

The Speaker may admit to the press gallery and also allow to the representatives of the news associations the privilege of the floor. (1742) *Rule XXXVI, section 2.*

The removal of the desks from the Hall of the House. (1743) *2-35, Journal, pp. 518, 582, Globe, 1670; 1-36, Journal, p. 351, Globe, pp. 855, 856.*

HARBORS.

Subjects relating to, belong to the jurisdiction of the Committee on Rivers and Harbors. (617) *Rule XI, section 8.*

HATS.

May not be worn during the session of the House. (10) *Rule XIV, section 7.*

HEADS OF DEPARTMENTS.

Entitled to the privilege of the floor of the House during its sessions. (1740) *Rule XXXIV.*

HOLIDAY RECESS.

See "Recess."

HORSES.

Contracts involving the employment of horses. (1735, footnote) *25 Stat. L., p. 512.*

HOUR OF MEETING.

The House fixes the hour of daily meeting at the beginning of each session. *2–57, Journal, p. 6, Record, p. 4.*

HOUR RULE.

The rule of recognition and the hour rule for debate; form and history. (62) *Rule XIV, section 2.*

No Member may occupy more than one hour in debate in House or in committee. (838) *Rule XIV, section 2.*

HOUSE.

The persons having the privilege of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Hall of the House is used only for the legislative business of the House, for caucus meetings of its Members, and for ceremonies in which the House votes to participate, and the Speaker may not entertain a motion to suspend the rule. (1739) *Rule XXXIII.*

The Speaker may not rule a bill out of order for the reason that the subject of it has been acted on in another way in another bill, the question being one for the House to determine. (462) *2–54, Journal, p. 155, Record, p. 1663.*

The Constitution provides that all bills raising revenue shall originate in the House. (452) *Article I, section 7, p. 7.*

The seal of the House is in control of the House rather than of the Speaker. *2–56, Record, p. 1134.*

A communication to the House from a foreign sovereign was transmitted through the State Department, read to the House, and entered on the Journal. *2–56, Journal, p. 145, Record, p. 1317.*

HOUSE AS IN COMMITTEE OF THE WHOLE.

See "Committee of the Whole."

HOUSE CALENDAR.

See "Calendars."

HOUSE RESTAURANT.

See "Restaurant."

HOUSES.

Neither House may exercise any authority over a Member or officer of the other. (907) *Jefferson's Manual, Section XVII, p. 158.*

HOUSES—Continued.

Proceedings in the one may not be referred to in the other in debate. (907) *Jefferson's Manual, Section XVII, p. 157; 3–55, Record, pp. 2669, 2685, Appendix, pp. 38, 39.*

References in the nature of criticisms of the other body, or comments upon it, have been repressed with strictness. (908–912) *2–46, Record, p. 1681; 1–48, Record, p. 3976; 1–51, Record, p. 10381; 1–54, Journal, pp. 451, 452; 1–55, Record, p. 1393; 2–56, Record, pp. 3383, 3576; 1–57, Record, p. 5957.*

Neither House shall adjourn for more than three days or to another place without the consent of the other. (1486) *Constitution, Article I, section 5, p. 6.*

One House having made a change in a committee of conference, the other is notified by a message. *1–56, Record, pp. 5223, 5668, Journal, pp. 573, 591.*

Ceremonies at a joint meeting of the two Houses in celebration of the centennial of the capital. *2–56, Journal, pp. 45, 46, Record, p. 255.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2–56, Journal, p. 194, Record, p. 1960.*

Two of three House conferees being present the Senate conferees declined to proceed in the absence of the third House conferee, whereupon the House conferees retired from the conference. *2–56, Record, p. 3585.*

The House having requested a conference and instructed its conferees, the Senate ignored the request of the House, insisted on its amendments, and asked "a full and free conference." *1–57, Record, pp. 7075, 7076.*

A difference arising between the House and Senate as to the instruction of conferees, a distinct conference was asked and granted on the subject of difference. *1–57, Journal, p. 725, Record, pp. 5689–5696, 5956–5958.*

On a conference relating to the prerogatives of the two Houses all the conferees were selected to represent the attitude of the majority of the House. *1–57, Record, pp. 6118, 6119.*

The House having instructed its conferees in the first instance and having informed the Senate by message of the instructions, the latter body objected to the instructions and to the transmittal of them by message. *1–57, Journal, p. 725, Record, pp. 5686, 5689, 5696, 5844, 5850, 5956, 5958.*

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. *1–58, Journal, p. 81, Record, pp. 260–276, 361–389; Report No. 1.*

HOUSES—Continued.

Approvals by Congress of reciprocity treaties affecting customs duties. *10 Stat. L., pp. 587, 1092; 13 Stat. L., p. 566; 19 Stat. L., p. 200; 24 Stat. L., p. 988; 25 Stat. L., p. 1370.*

The Secretary of Commerce and Labor shall "from time to time make such investigations and reports as he may be required to do by either House of Congress." *32 Stat. L., p. 829.* This power was exercised by the House March 7, 1904. *2-58, Record, p. 2958.*

One House sometimes asks of the other the return of a message. *1-57, Journal, p. 872, Record, pp. 7337, 7595, 7600.*

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. *1-57, Record, p. 7195.*

HOUSE WING.

Statutes relating to the House wing of the Capitol. (1765) *4 Stat. L., p. 266; 19 Stat. L., p. 147; 1-41, Journal, p. 201; 21 Stat. L., p. 388; 18 Stat. L., p. 376; 20 Stat. L., p. 391; Revised Statutes, section 1819.*

ILLNESS.

Under certain conditions, such as illness, the Speaker may appoint the Speaker *pro tempore;* under others the House elects. (53) *Rule I, section 7.*

IMMIGRATION AND NATURALIZATION, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (648) *Rule X, Rule XI, section 40.*

IMPEACHMENTS.

(*a*) *General provisions relating thereto.*
(*b*) *Trials of.*

(*a*) ***General provisions relating thereto.***

Provisions of the Constitution regarding impeachments. (1695) *Constitution, Article I, sections 2, 3, pp. 4, 5; Article II, section 4, p. 23.*

The President, Vice-President, and all civil officers of the United States may be removed on impeachment for treason, bribery, or other high crimes or misdemeanors. (1695) *Constitution, Article II, section 4, p. 23.*

Parliamentary law relating to impeachments. *Jefferson's Manual, Section LIII, pp. 221-226.*

A proposition to impeach a civil officer of the United States is privileged. (144-148) *3-27, Journal, p. 159, Globe, p. 145; 2-39, Journal, p. 121, Globe, p. 320; 2-48, Journal, pp. 27, 28, Record, pp. 17-19; 1-54, Journal, p. 37, Record, p. 115.*

IMPEACHMENTS—Continued.

No Member on the floor having preferred articles of impeachment against a civil officer, a resolution to investigate is not privileged. (148) *1-48, Journal, p. 495, Record, p. 871.*

An impeachment having been begun in the preceding Congress, a resolution for reviving the proceedings was held to be privileged. (684) *1-46, Journal, pp. 442, 443, Record, pp. 1774, 1775.*

A report on the subject of an impeachment being laid on the table, the right to move an impeachment in the same case is not thereby precluded. (958) *2-40, Globe, p. 65.*

In discussing a proposition to impeach the President, a wide latitude was allowed a Member in preferring charges. (906) *2-39, Journal, p. 163, Globe, p. 444.*

The managers of impeachments, except in later cases, have been elected by ballot. (1696–1702) *2-5, Journal, p. 153, Annals, Vol. I, p. 952; 2-8, Journal, pp. 44, 45; 1-21, Journal, p. 591; 2-37, Journal, pp. 712, 717; 2-40, Journal, p. 450; 1-44, Record, p. 1426.*

In 1804, and in later instances, the House has attended impeachments as a Committee of the Whole. (1698) *2-8, Journal, p. 118, Annals, p. 1174; Jefferson's Manual, Section LIII, p. 225.*

(*b*) *Trials of.*

William Blount, a Senator of the United States. (1696) *1-5, Journal, p. 76 et seq.*

John Pickering, a United States district judge. (1697) *Journal, 7 and 8 Congresses (Gales & Seaton), p. 322 et seq.*

Samuel Chase, an associate justice of the Supreme Court of the United States. (1698) *1-8, Journal, p. 516 et seq.*

James H. Peck, district judge of the United States. (1699) *1-21, Journal, p. 454 et seq.*

West H. Humphreys, United States district judge. (1700) *2-37, Journal, p. 150 et seq.*

Andrew Johnson, President of the United States. (1701) *2-39, Journal, pp. 121, 124, et seq.; 2-40, Journal, p. 385 et seq.*

William W. Belknap, late Secretary of War. (1702) *1-44, Record, p. 414 et seq.*

IMPRISONMENT.

An attempt having been made in 1795 to bribe its Members, the House vindicated its privileges by immediate arrest, trial, and imprisonment of the offender. (155) *1-4, Journal, pp. 389, 407.*

In the case of Anderson *v.* Dunn the Supreme Court affirmed the right of the House to punish for contempts. (160) *6 Wheaton, 204.*

IMPRISONMENT—Continued.

A Member absent by leave of the House and on his return thither being assaulted, the assailant was arrested and imprisoned for a term extending beyond the adjournment of the session. (169) *2-41, Journal, pp. 1199, 1200, Record, pp. 4317, 4325, 4352, 5253.*

Of Joseph L. Chester as a contumacious witness. (171) *3-34, Journal, p. 241, Globe, p. 356.*

Case of Wolcott, a contumacious witness. (272) *1-35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

It was decided in the case of Kilbourn *v.* Thompson that the House has no general power to punish for contempt. (176) *1-44, Journal, p. 579, Record, pp. 1705, 2008, 2417, 2482, 2513.*

A resolution relating to a recalcitrant witness imprisoned by order of the House presents a question of privilege. (172) *1-35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

INAUGURATION.

The inauguration of the President. (1769) *1-45, Senate Journal, March 5, 1877; 3-46, Record, March 4, 1881; 2-50, Record, February 28, 1889, Record, pp. 2720, 2721; 2-54, Record, p. 2648.*

A resolution relating to the inaugural ceremonies does not present a question of privilege. (193) *2-48, Record, p. 2301.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2-56, Journal, p. 194, Record, p. 1960; 3-58, Record, pp. 64, 341, 602.*

INDECENT LANGUAGE.

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155.*

INDEX.

Preparation of. (1781) *18 Stat. L., p. 401; 24 Stat. L., p. 346; 25 Stat. L., p. 709; 26 Stat. L., p. 231.*

INDEX CLERK.

Decision as to the employment of the index clerk. (1713.)

INDIAN AFFAIRS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (625) *Rule XI, section 16.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

INDIAN AFFAIRS, COMMITTEE ON—Continued.

Employment of clerks in the Indian Office is within the jurisdiction of the Committee on Appropriations, and not of the Committee on Indian Affairs. *1-56, Record, pp. 1418, 1461.*

INDIAN APPROPRIATION BILL.

Claims and deficiencies ruled not in order on it. (586-593) *1-51, Record, pp. 6201, 6228, 6233; 2-54, Record, pp. 1258, 1263.*

INDUSTRIAL ARTS AND EXPOSITIONS.

Committee on, and jurisdiction. *Rule XI, section 60.*

INFORMAL RISING OF THE COMMITTEE OF THE WHOLE.

See "Committee of the Whole."

INQUIRY, RESOLUTIONS OF.

The rule provides that resolutions of inquiry shall be reported back within one week. (425) *Rule XXII, section 5.*

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a question of privilege. (426-430) *1-47, Journal, p. 1124, Record, p. 3275; 1-49, Journal, p. 1420, Record, pp. 3929, 3930; 2-51, Record, pp. 2456, 2457; 1-52, Journal, p. 107, Record, p. 2192.*

A resolution of inquiry may be reported at any time within a week, and is privileged for consideration when reported. (430) *1-52, Journal, p. 296, Record, p. 6218.*

The week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or the last day, but not exclusive of both. *1-57, Record, p. 7771; 3-58, Record, p. 4019.*

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. (431) *1-53, Journal, pp. 106, 107.*

Resolutions of inquiry addressed to the heads of Executive Departments only are privileged, and then not until reported or one week from presentation. (432) *2-51, Journal, p. 188, Record, p. 1874; 1-56, Record, p. 635; 2-58, Record, pp. 1643, 3181.*

The privilege of resolutions of inquiry applies to those addressed to the President of the United States. *1-59, Record, pp. 1701-1702.*

A resolution authorizing a committee to request information has been treated as a resolution of inquiry. *2-58, Record, pp. 51-54.*

A resolution of inquiry to enjoy its privilege should call for facts rather than opinions and should not require an investigation. *1-59, Record, pp. 591-593.*

A resolution of inquiry loses its privileged character if matter not privileged be contained therein. (433) *2-55, Record, pp. 3908, 3909.*

INQUIRY, PARLIAMENTARY.

The privilege of a resolution of inquiry may be destroyed by a preamble, although the matter therein recited may be germane to the subject of inquiry. *1-59, Record, pp. 9541-9543; 2-59, Record, p. 4664.*

Joint resolutions are not required for calling for information from Executive Departments. *3-55, Record, pp. 1438, 1452, 1453.*

A resolution of inquiry is usually simple rather than concurrent in form. *1-57, Record, p. 3365, Journal, p. 535.*

An appeal may not be taken from the response to a parliamentary inquiry. (1677) *2-55, Record, pp. 3379-3383.*

INSERT, MOTION TO.

The parliamentary law relating to the motions to strike out and insert. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

A motion to strike out and insert certain words being decided affirmatively, thereby precludes another motion to strike out the words inserted and insert others. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

Certain words having been inserted in a paragraph, it is in order to move to strike out a portion of the paragraph which includes those words, providing the proposition involved be new; and in place of the portion stricken out in this way new matter may be inserted. (1047) *Jefferson's Manual, Section XXXV, p. 188; 1-57, Record, pp. 1614, 1616.*

A motion to strike out and insert certain words being defeated does not preclude a motion to strike out and insert certain other words, or prevent the simple motion to strike out. (1047) *Jefferson's Manual, Section XXXV, pp. 187, 188.*

When it is proposed to amend by inserting a paragraph, it should be perfected before the question is put on inserting, as afterwards it may not be amended. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

Words once inserted may not be changed or stricken out, but words relating to the same subject may be added to another portion of the paragraph. (1048) *1-19, Journal, p. 794; Debates, p. 1261.*

It is in order, by a motion to insert, to effect a transfer of paragraphs from the latter to the first portion of a bill. *2-58, Record, pp. 3524, 3527; 3-58, Record, pp. 1734, 1735.*

The motion to strike out and insert is not divisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert. (1044) *Rule XVI, section 7.*

On a motion to strike out a resolution and insert several connected resolutions, the question is not divisible. (1133) *1-31, Globe, p. 1310.*

INSERT, MOTION TO—Continued.

Substitute resolutions offered as an amendment are not divisible, but when agreed to a division of the original as amended may be demanded. *2–58, Record, pp. 1865, 1866.*

The Senate having amended by striking out, the House may concur with an amendment inserting. (1365) *1–34, Journal, pp. 1427, 1484, Globe, p. 2037.*

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute. *1–57, Record, p. 6114.*

When it is proposed to amend by inserting or adding, the matter is divisible if it contain more than one substantive proposition. *1–57, Record, pp. 2902, 4629, 4634.*

INSIST.

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

The regular progression of disagreeing, insisting, and adhering in amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, p. 205.*

Conditions governing receding and insisting (with or without amendments) in cases arising over amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, p. 205.*

The motions to insist and ask a conference have precedence of the motion to instruct conferees. (1376–1379) *1–49, Record, pp. 7404, 7405; 1–49, Record, p. 7598; 2–54, Record, pp. 1321, 1322, 1334; 2–54, Record, pp. 1940, 1945.*

The amending House may insist at once upon its amendment and ask for a conference. (1370) *2–42, Journal, pp. 1077, 1100, 1103, Globe, p. 4428.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1–55, Record, pp. 2641, 2642.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2–55, Record, pp. 4041, 4056, 4060, 4062, 4064.*

The motion to insist has precedence of the motion to adhere. (1365) *2–34, Journal, pp. 1600–1601.*

Where one House has voted at once to adhere the other may insist and ask a conference; but the motion to recede has precedence. (1364) *1–23, Journal, p. 229, Debates, pp. 2493, 2494, 2498.*

A motion to recede being decided in the negative, the House does not thereby vote to insist. *2–57, Record, pp. 2351, 2659, 2660.*

INSTRUCTIONS.

(*a*) *General provisions.*
(*b*) *Recommittal with instructions.*
(*c*) *To conferees.*

(*a*) ***General provisions.***

A motion to commit may be amended, as by adding, for example, "with instructions to inquire," etc. (1010, 1045) *1-47, Record, p. 6475, Journal, p. 1724; Jefferson's Manual, Section XXXIII, p. 182.*

It is not in order to move to commit with instructions a matter which is committed for the first time. (1541) *2-49, Record, pp. 1784, 1785.*

A division of the question is not in order on a motion to commit with instructions or on the different branches of the instructions. (1134-1136) *1-17, Journal, p. 507; 1-31, Journal, pp. 1395-1397, Globe, p. 1756; 1-32, Journal, p. 611, Globe, p. 1124; 2-58, Record, p. 2449.*

It is not in order to amend a pending privileged proposition by adding instructions to a committee on a matter not privileged and not germane to the original proposition. (1078) *1-48, Journal, p. 389.*

A resolution to commit, which creates a select committee, may at the same time, as part of the instructions to the committee, give to it the power to send for persons and papers. (1020) *2-44, Journal, p. 297, Record, p. 926.*

The question as to the extent of debate allowable on a motion to commit. (1042.)

(*b*) ***Recommittal with instructions.***

It is not in order to do indirectly through a motion to recommit with instructions what it would not be in order to do directly by way of amendment. (1024, 1029, 1031-1039) *1-48, Journal, p. 1247, Record, pp. 4256, 4257; 1-55, Record, p. 939; 2-55, Record, p. 811; 1-49, Journal, pp. 702, 703, 2363, Record, pp. 1619, 1620, 7613; 1-48, Journal, p. 761; 2-53, Journal, pp. 256-258, 350, 351, Record, pp. 3155, 4011; 1-51, Journal, pp. 984, 985, Record, p. 9105; 1-52, Journal, 86, 87, Record, p. 1698; 2-58, Record, pp. 2448, 2449.*

It is not in order to move to recommit a bill with instructions to the committee to report an amendment which is not germane. (1023-1031) *1-48, Journal, pp. 703, 1247, Record, pp. 4256, 4257; 2-35, Journal, p. 389, Globe, pp. 1007, 1009; 2-53, Journal, pp. 446, 453, Record, pp. 6739, 6908; 2-51, Journal, p. 165, Record, p. 1638; 1-55, Record, pp. 939, 1187; 2-55, Record, p. 811.*

It is not in order to move to recommit with instructions to report an amendment which would be a change of existing law. (1039, 1040) *2-52, Journal, pp. 96, 436, Record, pp. 1754, 6433, 6434.*

INSTRUCTIONS—Continued.

(*b*) ***Recommittal with instructions***—Continued.

It is in order to move to recommit with instructions to strike out one of several propositions that have been inserted by an amendment agreed to by the House. (1041) *3-53, Journal, pp. 156-158, Record, p. 2729.*

It is not in order to recommit a bill with instructions to report as an amendment matter which has just been stricken out by a vote of the House. (1035) *1-49, Journal, p. 2363, Record, p. 7613.*

A bill to establish a department of commerce and labor may be recommitted with instructions to report instead two bills establishing separate departments of commerce and labor. *2-57, Journal, p. 134, Record, p. 928.*

On a motion to recommit with instructions, the instructions may not authorize the committee to report at any time, as such would be a change of the rules. (1020, 1021) *2-44, Journal, p. 297, Record, p. 926; 2-47, Journal, p. 229, Record, pp. 1147, 1148.*

On a motion to recommit with instructions it is in order to direct the committee as to when they shall report back the bill. (700, 701) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508.*

A bill recommitted with instructions to report forthwith may be reported immediately by the chairman without formal action of the committee. (702) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508; 1-56, Record, p. 3866.*

A bill may be recommitted with instructions that it be reported back "forthwith," and this report may be made at once by the chairman of the committee, and is not subject to the point that it must be considered in Committee of the Whole if it has previously been considered there. (1022) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508.*

A bill recommitted under Rule XVII with instructions that it be reported "forthwith" was, when reported again passed, to be engrossed and read a third time. *2-58, Journal, pp. 225, 227, Record, pp. 1428, 1429, 1469.*

The Committee of the Whole having decided between two propositions and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit with instructions that in effect brought the two propositions to the decision of the House. *3-55, Record, pp. 2255, 2257.*

(*c*) ***To conferees.***

It is in order to instruct conferees; and the resolution of instruction should be offered after the House has voted to insist and ask a conference and before the conferees have been appointed. (1376-1379) *1-49, Record, pp. 7404, 7505, 7598; 2-54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

INSTRUCTIONS—Continued.

(*c*) ***To conferees***—Continued.

A special order requiring the Speaker to appoint conferees immediately after the vote of disagreement, a motion to instruct was not admitted. *1-59, Record, pp. 4122-4128.*

The motion to instruct conferees is amendable. (1390) *1-51, Journal, p. 735, Record, p. 5981.*

The House having asked for a free conference, it is not in order to instruct the conferees. (1381) *2-51, Journal, p. 358, Record, pp. 3747, 3768, 3771.*

It is not the practice of the House to instruct conferees in the first instance. (1380) *2-51, Journal, p. 333, Record, pp. 3610, 3611.*

The House having instructed its conferees in the first instance, and having informed the Senate by message of the instructions, the latter body objected to the instructions, and to the transmittal of them by message. *1-57, Journal, p. 725, Record, pp. 5686, 5689, 5696, 5844, 5850, 5956, 5958; 2-57, Record, pp. 2506, 2519, 2522.*

The House having instructed its conferees at a second conference, and having by message informed the Senate of the instructions, that body agreed to the conference, although there was protest at the message. *1-57, Journal, pp. 701-713, Record, pp. 5363-5364, 5371, 5404-5407, 5567, 5619.*

The House having requested a conference and instructed its conferees, the Senate ignored the request of the House, insisted on its amendments, and asked "a full and free conference." *1-57, Record, pp. 7075, 7076.*

A difference arising between the House and Senate as to the instruction of conferees, a distinct conference was asked and granted on the subject of difference. *1-57, Journal, p. 725, Record, pp. 5689, 5696, 5956, 5958.*

At a new conference the instructions of a former conference are not in force. *1-57, Record, p. 5567; Journal, p. 713.*

It is questionable whether a Committee of the Whole may recommend instructions to conferees. (751) *1-55, Record, pp. 833, 840.*

The motions to insist and ask a conference have precedence of the motion to instruct conferees. (1376-1379) *1-49, Record, pp. 7404, 7405, 7598; 2-54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

It is not in order to give such instructions to conferees as would require changes in the text to which both Houses have agreed. (1380) *2-51, Journal, p. 333, Record, pp. 3610, 3611.*

A conference report may be received although it may be in violation of instructions given to the conferees. (1382) *1-49, Journal, p. 2459, Record, p. 7826.*

INSTRUCTIONS—Continued.

(*c*) ***To conferees***—Continued.

Conferees having made a report which was disagreed to by the House as being in violation of their instructions, and a new conference having been requested, the Speaker appointed new conferees. *1–56, Record, pp. 6848–6856.*

INSULAR AFFAIRS.

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

Although there is a specific rule giving to Insular Affairs the jurisdiction of matters relating to Cuba, the House has decided that they belong rather to Foreign Affairs. *2–59, Record, pp. 602–604.*

The Resident Commissioner from Porto Rico has certain of the privileges of Delegates and may serve on the Committee on Insular Affairs. *Rule XII, section 2.*

INSULTING.

The Speaker may withhold such private bills, petitions, and memorials as in his judgment are of an obscene or insulting character. (448) *Rule XXII, section 1.*

INTEREST, DISQUALIFYING.

See "Personal Interest."

INTERSTATE AND FOREIGN COMMERCE COMMITTEE.

Its powers, duties, jurisdiction, number of members, and history. (616) *Rule X, Rule XI, section 7.*

INTERVENING BUSINESS.

See "Adjourn, motion to."

INTOXICATING LIQUORS.

No intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States. *32 Stat. L., p. 1221.*

INTRODUCTION OF PRIVATE BILLS, ETC.

See "Bills."

INVALID PENSIONS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (637) *Rule X, Rule XI, section 29.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

Entitled to have an assistant clerk detailed from the Interior Department. (Pension Office), *23 Stat. L., p. 266.*

INVENTORY.

The Doorkeeper's inventory of furniture, etc., is reported to the House at the beginning and close of each session and referred to the Committee on Accounts for examination, etc. (1719) *Rule V, section 2.*

INVESTIGATIONS.

A resolution directing the investigation of certain expenditures of the Government is not privileged. (194) *1-49, Journal, pp. 514, 515, Record, pp. 1027, 1028.*

No Member on the floor having preferred articles of impeachment against a civil officer, a resolution to investigate is not privileged. (148) *1-48, Journal, p. 495, Record, p. 871.*

Question as to proper procedure when the course of an investigation before a committee implicates a Member. (166) *Jefferson's Manual, Section XVII, p. 158.*

A Member being involved by an inquiry by a committee, the committee must report to the House and get special authority to inquire concerning him. (602) *Jefferson's Manual, Section XI, p. 147.*

A Senator apparently being inculpated by testimony taken before a House committee, the House informed the Senate. (1776) *1-40, Globe, p. 253.*

The House may authorize a committee to consider, in the course of an investigation, testimony taken before a committee of a previous Congress. (684) *1-46, Journal, pp. 442, 443, Record, pp. 1774, 1775.*

A resolution directing a committee to make an investigation goes to the Committee on Rules. *3-55, Record, pp. 310, 353.*

The creation of an investigating committee to examine a department of the Government was held not to be in order on an appropriation bill. *2-58, Record, pp. 3633, 3638.*

IRRIGATION OF ARID LANDS, COMMITTEE ON.

In powers, duties, jurisdiction, number of Members, and history. (647) *Rule X, Rule XI, section 39.*

An amendment providing for a system of irrigating arid lands was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1057, 1058.*

ISLANDS.

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

JANITORS.

See "Clerks, etc., of committees."

JEFFERSON'S MANUAL.

The House is governed by the rules of Jefferson's Manual in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. (1533) *Rule XLIV.*

JOINT COMMITTEES.

Three in number. *Rule XI, sections 55–57.*

The point being made that the House alone might not recommit with instructions to a joint committee created by act of Congress, the Speaker held that it was for the House, and not the Chair, to decide upon the effect of their action. (1002) *1–32, Journal, p. 611.*

The Senate portion of the Joint Committee on the Library has authority in recess. (1762) *22 Stat. L., p. 592.*

The membership of the Joint Committee on the Library is fixed by law. *32 Stat. L., p. 735.*

Joint committees should be authorized by concurrent, and not by joint, resolutions. *2–56, Journal, p. 123, Record, pp. 1103–1106.*

A joint committee may report in either House. *2–59, Record pp. 698, 700.*

Instance wherein a joint committee was authorized and appointed to attend a ceremony occurring after the final adjournment of a Congress. *2–57, Journal, pp. 266, 282, 284, Record, p. 2412.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2–56, Journal, p. 194, Record, p. 1960.*

JOINT RULES.

Those formerly relating to bills on their passage between the two Houses. (478, footnote.)

Ceremonies at a joint meeting of the two Houses in celebration of the Centennial of the Capital. *2–56, Journal, pp. 45, 46, Record, p. 255.*

JOINT RESOLUTIONS.

A joint resolution is a bill within the meaning of the rules. (459) *3–27, Globe, p. 384.*

The use of joint and concurrent resolutions and the question of their approval by the President. (453) *2–54, Senate Report No. 1335.*

Joint resolutions are not required for calling for information from the Executive Departments. *3–55, Record, pp. 1438, 1452, 1453.*

Joint committees should be authorized by concurrent, and not by joint, resolutions. *2–56, Journal, p. 123, Record, pp. 1103–1106.*

The forms of enacting and resolving clauses of bills and joint resolutions are prescribed by statute. (455) *Revised Statutes, sections 7 and 8.*

It was decided, by reason of conditions arising from former rule No. 114, that a resolution of the House could not be amended so as to convert it into a joint resolution. (456) *1–32, Journal, p. 679, Globe, p. 1275.*

JOINT RESOLUTIONS—Continued.

A motion to recommit a bill with instructions to bring the same subject-matter back in the form of a joint resolution is in order. (1012) *1-49, Journal, pp. 378, 379, Record, pp. 694, 695.*

The Clerk certifies the passage of all bills and joint resolutions. (1712) *Rule III, section 3.*

JOURNAL.

(*a*) *General provisions.*
(*b*) *Matters entered in.*
(*c*) *Reading of.*
(*d*) *Business before reading of.*
(*e*) *Correction and amendment.*
(*f*) *Approval of.*
(*g*) *Protests in.* See "Protests."

(*a*) ***General provisions.***

The Constitution requires that the House shall keep a Journal of its proceedings, and from time to time publish the same. (214) *Constitution, Article I, section 5, p. 6.*

The Journal is the official record of the proceedings of the House. (236) *2-48, Journal, p. 554.*

It is not in order to place on the Journal indirectly what the House has refused to place there directly. (230) *3-37, Journal, pp. 122, 123, Globe, p. 165.*

The statutes provide that extracts from the Journal shall be admitted as evidence in the United States courts. (215) *Revised Statutes, section 895.*

A charge by a Member that the Journal of the House has been mutilated by the Speaker was made a question of privilege. (130) *1-31, Journal, p. 713.*

Less than a quorum may not expunge anything from the Journal. (338) *2-52, Journal, p. 107, Record, p. 1994.*

An entry in a Journal of a preceding Congress has been rescinded by order of the House. (927, footnote) *2-43, Journal, p. 618, Record, p. 2084; 1-44, Record, p. 2887.*

Bound copies of the Journal are distributed from the document room. (1748) *28 Stat. L., p. 609.*

(*b*) ***Matters entered in.***

The Clerk notes decisions on questions of order in the Journal and publishes and distributes it. (1712) *Rule III, section 3.*

There is no rule requiring that the text of a bill which has been read in the House shall be printed in either the Journal or the Record. (1683, 1684, 1685) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125; 1-54, Record, p. 47.*

JOURNAL—Continued.

(*b*) ***Matters entered in***—Continued.

A Speaker, having been accused of a corrupt bargain by a Member, appealed to the House and the appeal was spread upon the Journal. (149) *2-18, Debates, pp. 440-523.*

To become a law a vetoed bill must receive on reconsideration a two-thirds vote, the yeas and nays of which must be entered on the Journal. (1466) *Constitution, Article I, section 7, p. 7.*

The hour of adjournment is entered on the Journal. (1488) ***Rule XVI, section 5.***

It is the practice to spread all Presidents' messages on the Journal. (1459, footnote) *1-30, Globe, p. 96.*

Messages from the Senate and President giving notice of bills passed or approved are entered on the Journal and published in the Record. (1448) *Rule XLI.*

The yeas and nays on any question shall be entered on the Journal at the desire of one-fifth of those present. (1157) ***Constitution, Article I,*** *section 5, p. 6.*

Conference reports are entered on the Journal. ***Jefferson's Manual, Section XLVI, p. 208.***

A motion shall be reduced to writing on the demand of any Member, and shall be entered on the Journal with the name of the Member making it, unless withdrawn on the same day. (922) ***Rule XVI, section 1.***

When a bill, resolution, or memorial is introduced "by request," the words are entered on the Journal and Record. (451) ***Rule XXII,*** *section 4.*

The reference of public bills, memorials, and resolutions is entered on the Journal and Record. (450) *Rule XXII, section 3.*

Petitions, memorials, and private bills are referred by Members and delivered to the Clerk, who enters them on the Journal and furnishes a transcript for the Record. (448) *Rule XXII, section 1.*

Personal explanations of Members are not usually entered on the Journal. (237) *2-53, Journal, p. 435.*

Proceedings of the House based upon the erroneous announcement of a vote have been treated as a nullity, and a motion to insert them in the Journal was ruled out of order. (234) *1-29, Journal, p. 1032, Globe, p. 1058.*

A communication to the House from a foreign sovereign was transmitted through the State Department, read to the House, and entered on the Journal. *2-56, Journal, p. 145, Record, p. 1317.*

Notice of the death of a Member is sometimes transmitted to the House by the executive of his State, and entered on the Journal. ***2-56, Journal, p. 114, Record, p. 952.***

JOURNAL—Continued.

(*c*) ***Reading of.***

Duties of the Speaker regarding the opening of the session and the reading of the Journal. (41) *Rule I, section 1.*

The reading of the Journal must be in full when demanded by a Member. (219, 220) *1-51, Journal, p. 994, Record, p. 9230; 2-51, Journal, p. 174, Record, p. 1785; 2-57, Record, p. 2709.*

A conference report, though highly privileged, is not in order during the reading of the Journal. (1391) *Rule XXIX.*

The reading of the Journal being interrupted by an assault, it was concluded after the offender had been taken into custody by order of the House. (165) *1-24, Journal, pp. 983, 985, 1021, Globe, pp. 436, 437, 450.*

Question as to its reading and preparation on death of the Clerk. (127) *1-31, Journal, p. 789.*

The Journal of the last day of a session is never read or approved. (216, footnote) *2-44, Journal, pp. 18-22, Record, pp. 13, 14.*

On the last legislative day of a session the Journal is sometimes read and approved as far as read. *2-56, Record, p. 3564.*

The names of those not voting are entered on the Journal by custom, but it is not required. There is a question as to whether they must be read if required. (219) *1-51, Journal, p. 994, Record, p. 9230.*

(*d*) ***Business before reading of.***

It has generally been held that no business may be transacted before the reading and approval of the Journal. (221-225) *1-34, Journal, p. 1253, Globe, p. 1710; 2-50, Record, pp. 676, 677; 1-52, Journal, p. 91, Record, p. 1825; 2-52, Journal, p. 98, Record, p. 1863; 2-53, Journal, pp. 308, 309.*

A call of the House is in order before the reading of the Journal. (221) *1-34, Journal, p. 1253, Globe, p. 1710.*

A motion for a recess is not in order before the Journal has been read. (222) *2-50, Record, pp. 676, 677.* See, however, (224) *2-52, Journal, p. 98, Record, p. 1863.*

It has been decided that a report from the Committee on Rules is in order before the reading and approval of the Journal. (223) *1-52, Journal, p. 91, Record, p. 1825.*

It has been ruled that the consideration of a special order may proceed before the approval of the Journal. (225) *2-53, Journal, pp. 308, 309.*

(*e*) ***Correction and amendment of.***

In amending the Journal the House may decide as to what are proceedings, even to the extent of omitting things actually done, or of recording things not done. (232) *1-29, Journal, p. 1047.*

JOURNAL—Continued.

(*e*) ***Correction and amendment of***—Continued.

A House bill with Senate amendment having been properly referred from the Speaker's table, it was decided, nevertheless, to be in order for the House to consider an amendment to the Journal striking out the record of such reference. (352–354) *1–51, Journal, p. 758, Record, p. 6281; 1–51, Journal, p. 767, Record, pp. 6314, 6353; 1–51, Journal, pp. 770–772, Record, pp. 6354–6364.*

A proposed expression of opinion as to a decision of the Chair is not in order as an amendment to the Journal. (231) *1–51, Journal, p. 148, Record, p. 1540.*

A proposed amendment to the Journal being laid on the table, the Journal does not accompany the amendment. (235) *1–26, Journal, p. 28, Globe, pp. 46, 47.*

The motion to commit provided for in section 1 of Rule XVII may be applied to a motion to amend the Journal. (1001) *2–46, Record, pp. 1814, 1815.*

When a Member's vote is incorrectly recorded, it is his right on the next day, while the Journal is before the House for approval, to have the proper correction made. (1179) *2–30, Journal, p. 211, Globe, p. 172.*

A Member may not have the record of his vote changed in the Journal upon the statement that he voted upon a misapprehension of the question, and a motion relating thereto is not privileged. (1180) *1–31, Journal, p. 1266, Globe, p. 1577; 3–55, Record, p. 270.*

The correction in the Journal of the erroneous record of a Member's vote is made as a matter of right and not by vote of the House. *2–57, Record, p. 2709.*

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. *1–59, Record, p. 5258.*

A vote having been erroneously announced in such a way as to change the true result, subsequent proceedings in connection therewith fall, and the Journal is amended accordingly. (1184) *1–31, Journal, p. 1436, Globe, pp. 782, 783; 2–58, Journal, pp. 75, 80, Record, pp. 385, 386, 408.*

(*f*) ***Approval of.***

The Journal may not be read or approved until a quorum has appeared. (217, 218) *2–27, Journal, p. 678, Globe, p. 405; 1–50, Journal, p. 2945, Record, p. 9607.*

The examination and approval of the Journal by the Speaker, according to Rule I, section 1, is a preliminary examination, and the Journal must still be approved by the House. (218) *1–50, Journal, p. 2945, Record, p. 9607.*

JOURNAL—Continued.

(*f*) ***Approval of***—Continued.

A motion to approve the Journal being made, and the previous question having been demanded, had precedence over the motion to amend the Journal. (216) *1-55, Journal, p. 115, Record, pp. 1803, 1892.*

The amendment of the Record is not in order pending the approval of the Journal. *1-59, Record, p. 7624.*

A legislative day having expired without the approval of the Journal of the preceding day, on the succeeding day the House determined the order in which it would approve the two Journals. (227) *2-46, Journal, pp. 842-877, Record, pp. 1833, 1839.*

Journals of more than one session remaining unapproved, they are taken up for approval in chronological order, although the opposite ruling has once been made. (228, 229) *2-53, Journal, pp. 334, 337, 338, Record, pp. 3757, 3793.*

JUDGES OF THE SUPREME COURT.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

Have gallery accommodations assigned by the Speaker. (1741) *Rule XXXV.*

JUDGMENTS.

Reports of judgments of the Court of Claims are transmitted to Congress at the first of every December session. (1437) *Revised Statutes, section 1057.*

It is in order, in the deficiency bill, to appropriate for the payment of judgments of the courts certified to Congress in accordance with the law. *2-56, Record, pp. 2791-2792.*

JUDICIARY COMMITTEE.

Its powers, duties, jurisdiction, number of members, and history (613) *Rule X, Rule XI, section 4.*

A private bill providing for a rehearing and a readjudication in the Court of Claims belongs to the jurisdiction of a claims committee, not the Judiciary. *2-56, Record, pp. 2481-2484.*

JUDICIAL PROCEEDINGS.

Subjects relative to, are under the jurisdiction of the Committee on the Judiciary. (613) *Rule XI, section 4.*

JUDICIAL EXPENSES.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

JURISDICTION OF COMMITTEES.

(*a*) *In general.*
(*b*) *How conferred.*
(*c*) *Not affected by Senate amendments.*
(*d*) *Necessary to authorize a committee to act.*
(*e*) *As to private claims.*
(*f*) *Of committees severally.*

(*a*) *In general.*

The jurisdiction of the various committees of the House. (610–656) *Rule XI, sections 1–57.*

When a bill embraces subjects belonging to the jurisdiction of several committees, the main object of the bill may be taken as the test to show to which committee it should go. (678) *2–55, Record, p. 2483.*

The acts of the Executive Departments in submitting estimates are not of effect in determining questions of jurisdiction. *1–59, Record, pp. 3071–3080.*

It is in order for the House to refer a bill to any committee, though such committee under Rule XI may not have original jurisdiction of such bill. (1023) *1–48, Journal, p. 703; 2–57, Record, p. 928.*

The House may authorize a committee to consider, in the course of an investigation, testimony taken before a committee of a previous Congress. (864) *1–46, Journal, pp. 442, 443, Record, pp. 1774, 1775.*

(*b*) *How conferred.*

A petition properly referred to a committee gives jurisdiction for reporting a bill. (666) *1–32, Journal, p. 935.*

Reference of a public bill or resolution to a committee of the House confers jurisdiction of it upon that committee. (670) *1–51, Journal, p. 87, Record, p. 376.*

The erroneous reference of a public bill, if it remain uncorrected, in effect gives jurisdiction to the committee receiving it. (667, 668) *1–53, Journal, p. 147; 2–54, Record, pp. 725, 726; 1–56, Record, p. 832; 2–56, Journal, p. 186, Record, pp. 1849, 1850; 1–59, Record, pp. 1721–1722.*

A public bill having been reported by a committee and referred to the Committee of the Whole for consideration, a point of order may not be raised in Committee of the Whole as to the jurisdiction of the committee making the report. (669) *1–51, Record, pp. 2041, 2046.*

The erroneous reference of a petition or private bill does not confer jurisdiction on the committee receiving the same. (449) *Rule XXII, section 2.*

JURISDICTION OF COMMITTEES—Continued.

(*b*) ***How conferred***—Continued.

The erroneous reference of a private House bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration, either in the House or in Committee of the Whole. (675–681) *1–53, Journal, pp. 118, 138; 3–53, Journal, pp. 15, 70, 71; 2–55, Record, pp. 2483, 2496; 2–53, Journal, p. 492; 3–58, Record, pp. 379, 393.*

When the House itself refers a private House bill to a committee, the point of order as to jurisdiction does not avail. *3–58, Record, pp. 2417, 2418; 2-59, Record, p. 1849.*

A private bill, reported from a committee not having jurisdiction of the subject, was ordered by the Speaker to be recommitted, as a step preliminary to a change of reference. *1–57, Journal, p. 666.*

(*c*) ***Not affected by Senate amendments.***

A House bill relating to revenue, being returned from the Senate amended by a substitute relating to coinage, was in the House referred to the committee originally reporting it instead of to the committee having jurisdiction of the subject of the substitute. (671) *1–54, Record, p. 343.*

A House bill relating to revenue in Porto Rico and reported from the Ways and Means Committee, being returned from the Senate with an amendment relating to the civil government of the island, was referred to the Ways and Means Committee, although the subject of the amendment was within the jurisdiction of the Committee on Insular Affairs. *1–56, Record, p. 3781.*

(*d*) ***Necessary to authorize a committee to act.***

It has generally, though not always, been held that a committee may not report a bill whereof the subject-matter has not been referred to them by the House. (661–665) *1–31, Journal, p. 590; 1–45, Journal, p. 159, Record, p. 256; 1–48, Journal, p. 1108; 1–51, Journal, p. 967, Record, p. 8772; 1–53, Journal, pp. 96–98.*

A committee may not move to suspend the rules and pass a bill which has not been referred to it. (1597) *1–51, Record, p. 8772.*

(*e*) ***As to private claims.***

Bills for the payment or adjudication of private claims against the Government may go only to certain specified committees. (660) *Rule XXI, section 3.*

A bill to create a commission to determine damages done to citizens was held not to provide for the payment or adjudication of a claim against the Government, and hence not to be affected by the prohibition of section 3 of Rule XXI. (682) *2–52, Journal, p. 493, Record, p. 7661.*

JURISDICTION OF COMMITTEES—Continued.

(*f*) ***Of committees severally.***

In determining the jurisdiction of the several committees reporting appropriation bills, the practices governing the composition of those bills in the past are given much weight. *2-50, Record, p. 1005.*

The appropriations for field guns and their appurtenances belong to the Appropriations and not to the Military Affairs Committee. (672, 673) *1-51, Record, pp. 2857, 2862; 2-55, Record, pp. 1479-1481; 2-59, Record, p. 907.* But fire-control and direction apparatus for field artillery comes within the jurisdiction of the Committee on Military Affairs. *1-59, Record, pp. 3071-3080.*

Appropriations for clerks in the office of the Chief of Staff belong on the army bill. *2-58, Record, pp. 1084, 1087.*

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220; 1-59, Record, p. 3231; 2-59, Record, p. 907.*

Appropriations for barracks and quarters for troops of the seacoast artillery are within the jurisdiction of the Committee on Appropriations, and not of the Committee on Military Affairs. *2-59, Record, pp. 854, 900.*

Respective jurisdictions of Committees on Appropriations and Naval Affairs over appropriations for ocean and lake surveys. *1-56, Record, pp. 4391, 4427, 4443, 5135-5167, 6849, 6856, 6879-6885.*

Appropriations for vessels for submarine mine and torpedo work in connection with coast defenses belong to the jurisdiction of the Committee on Appropriations. *1-59, Record, pp. 3227-3229.*

Contingent expenses in a Bureau of the Navy Department are appropriated for in the legislative and not the naval bill. *1-57, Record, pp. 5606-5607.*

Deficiency appropriations are in order in any general appropriation bill within the jurisdiction of the Committee on Appropriations. *2-56, Record, p. 2419.* But not on other appropriation bills. *2-57, Record, pp. 804, 805.*

As to the jurisdiction of the deficiency appropriation bill. *1-57, Record, p. 7025.*

An appropriation made "immediately available" is a deficiency appropriation not in order on the army appropriation bill. *2-58, Record, pp. 1081, 1082.*

Stationery, books of reference, etc., for the Navy Department are provided in the legislative bill, under jurisdiction of the Committee on Appropriations. *1-56, Record, p. 4389.*

JURISDICTION OF COMMITTEES—Continued.

(*f*) ***Of committees severally***—Continued.

Appropriations for the staff of employees in the Office of Commissioner of Indian Affairs belong to the legislative appropriation bill. *3-55, Record, pp. 281, 282; 1-56, Record, pp. 1418, 1461.*

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

Although there is a specific rule giving to Insular Affairs the jurisdiction of matters relating to Cuba, the House has decided that they belong rather to Foreign Affairs. *2-59, Record, pp. 602, 604.*

A proposition to establish a system for dealing with a certain class of claims in the Philippines was referred by the House to the Committee on Insular Affairs. *2-59, Record, pp. 73-74.*

A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. *2-56, Record, p. 140.*

A bill proposing amendments to the Constitution in relation to polygamy was by the House committed to the Committee on the Judiciary. *1-56, Record, p. 4864.*

The Appropriations Committee may report appropriations for improvements of rivers and harbors only where they have been authorized by law and placed under contract. (674) *2-52, Record, pp. 1023, 1065; 2-57, Record, pp. 2081-2083; 2-58, Record, p. 4000.*

Appropriations compensating heirs of foreigners killed by mobs have come within the jurisdiction of the Committee on Appropriations. *2-57, Record, p. 339.*

A resolution directing a committee to make an investigation goes to the Committee on Rules. *3-55, Record, pp. 310, 353.*

Points of order being reserved, paragraphs including matters of which the Rivers and Harbors Committee has no jurisdiction, such as canals, may be ruled out in Committee of the Whole. (1644, 1645) *1-48, Record, p. 5014; 2-48, Record, pp. 1677, 1927, 2097; 2-59, Record, p. 2467.*

Relation of the Committee on Levees and Improvements of the Mississippi River with the Committee on Rivers and Harbors. *2-56, Record, pp. 1094, 1095.*

A subject of which the river and harbor committee has jurisdiction may be reported in the river and harbor bill. *3-58, Record, pp. 3225, 3226.*

JURISDICTION OF COMMITTEES—Continued.

(*f*) ***Of committees severally***—Continued.

A provision relating to a commission to investigate the conditions and uses of waters adjacent to an international boundary line was ruled out of the river and harbor bill as not being within the jurisdiction of the Committee on Rivers and Harbors. *2-59, Record, p. 2469.*

It is the duty of the Committee on Accounts to inquire into and report violations of the rule forbidding officers or employees to be claim agents. (1703) *Rule XLIII.*

The general subject of Federal control of corporations has been referred to the Committee on the Judiciary. *1-59, Record, pp. 349, 405, 694.*

The appropriation for officers and clerks in the railway mail service belongs to the jurisdiction of the Committee on Post-Office and Post-Roads. *1-59, Record, pp. 4473-4477.*

Appropriations for payment of French spoliation claims being included in a private bill reported by the Committee on War Claims, the chairman of the Committee of the Whole House ordered them stricken out, as belonging to the jurisdiction of the Committee on Claims. *2-59, Record, pp. 636, 637.*

LABOR.

The Clerk makes or approves all contracts, bargains, or agreements relative to labor for the House. (1712) *Rule III, section 3.*

LABOR, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (634) *Rule X, Rule XI, section 26.*

LAND CLAIMS.

Subjects relating thereto belong to the jurisdiction of the Committee on Private Land Claims. (641) *Rule XI, section 33.*

LANGUAGE.

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155.*

LAW.

It is the duty of the Speaker to take notice of a mandatory provision of law. (88) *2-44, Journal, p. 604, Record, p. 2054.*

LAW, CHANGE OF EXISTING.

See "Appropriation bills."

LAW, CIVIL AND CRIMINAL.

Subjects relating to, are under the jurisdiction of the Committee on the Judiciary. (613) *Rule XI, section 4.*

LAW LIBRARY.

Law library is kept open while the House is in session. (1762, footnote) *25 Stat. L., p. 262.*

LAWS.

Printing of the laws for Members. (1785) *Revised Statutes, sections 3805, 3807, 3808; 18 Stat. L., p. 401.*

LAWS, REVISION AND CODIFICATION OF.

Subjects relating to, belong to the jurisdiction of the Committee on Revision of the Laws. (643) *Rule XI, section 35.*

LAY ON THE TABLE, MOTION TO.

(*a*) *General provisions.*
(*b*) *Precedence of the motion to.*
(*c*) *Effect of.*
(*d*) *When not admissible.*
(*e*) *Relations to motion to reconsider.*

(*a*) ***General provisions.***

The motion to lay on the table as in use in the House of Representatives. (946, footnote.)

A motion which the House has decided not to lay on the table may not be withdrawn, since the House has indicated a purpose to proceed with it. (931) *2-46, Journal, p. 842, Record, pp. 1807, 1808.*

It has been held, although not uniformly, that the motion to lay on the table may be made before the Member in charge has begun his remarks. (77, 78) *1-52, Journal, p. 290, Record, pp. 6126, 6127; 1-55, Record, pp. 744, 823, 824, Journal, p. 73; 1-56, Record, p. 5919; 2-57, Record, p. 2759.*

The motion to lay an appeal on the table may be entertained under general parliamentary law before the adoption of rules. (954) *1-51, Journal, p. 144, Record, p. 749.*

It is in order to lay on the table a motion to discharge a committee. *1-57, Record, p. 6811, Journal, p. 805.*

Although a proposition may be privileged for consideration under the rules, yet a motion to lay it on the table is in order, such action being one form of consideration. *1-57, Record, p. 6389, 6390, Journal, p. 780.*

LAY ON THE TABLE, MOTION TO—Continued.

(*a*) ***General provisions***—Continued.

There is a question as to whether or not the recommendation of the Committee of the Whole that a bill do lie on the table may be accepted in the House as a motion to lay the bill on the table. (755) *2–54, Record, p. 1069.*

A committee report that a resolution lie on the table does not preclude debate until the member in charge of the report makes the motion. *2–58, Record, pp. 1259, 1260.*

(*b*) ***Precedence of the motion to.***

It is a privileged motion, not debatable, and has a precedence, determined by rule. (924) *Rule XVI, section 4.*

Under the earlier practice of the House the motion to lay on the table was admitted after the previous question had been ordered, but later decisions have reversed the practice. (949–952) *1–28, Journal, p. 490, Globe, p. 332; 1–30, Journal, p. 175, Globe, p. 93; 2–45, Journal, p. 1090, Record, pp. 3438, 3521–3523; 2–53, Journal, pp. 139, 140, Record, p. 1969; 3–55, Record, p. 1662.*

The motion to reconsider and the motion to lay that motion on the table are admitted while the previous question is operating. *1–56, Record, p. 2795.*

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of the recommendation that it be postponed to a day certain or be recommitted to a standing committee. (747) *2–55, Record, pp. 3923, 3924.*

(*c*) ***Effect of.***

A proposed amendment to the Journal being laid on the table, the Journal does not accompany the amendment. (235) *1–26, Journal, p. 28, Globe, pp. 46, 47.*

An appeal may be laid on the table, but does not carry with it the whole subject. (947) *1–26, Journal, pp. 529–530.*

It is in order to lay upon the table Senate amendments to a House bill, and the bill in such a case goes to the table with the amendments. (953) *1–33, Journal, p. 1250, Globe, p. 2071.*

A bill being laid on the table, it was held that a motion to print and all other motions connected therewith went with the bill. (948) *2–32, Journal, p. 195, Globe, p. 426.*

A report on the subject of an impeachment being laid on the table, the right to move an impeachment in the same case is not thereby precluded. (958) *2–40, Globe, p. 65.*

LAY ON THE TABLE, MOTION TO—Continued.

(*d*) ***When not admissible.***

When the motion to lay a bill on the table has been negatived, and no change or alteration has been made in the bill or no proceeding touching its merits has taken place, the motion may not be repeated. (957) *2-27, Journal, p. 890, Globe, p. 564.*

The House has formally discarded the old practice of allowing conference reports to be laid on the table. (1407-1409) *1-30, Journal, p. 1283, Globe, p. 1080; 2-42, Journal, p. 1129, Globe, p. 4460; 1-44, Journal, p. 1423.*

It is not in order, according to the latter practice, to lay on the table a motion to suspend the rules. (1581, 1582) *1-29, Journal, p. 363, Globe, p. 343; 2-35, Journal, p. 510, Globe, pp. 1418, 1419.*

A motion relating to the order of business may not be laid on the table. (956) *1-45, Journal, p. 1221, Record, pp. 4094-4098; 2-56, Record, pp. 1198, 1199.*

A motion for the previous question may not be laid on the table. (955) *2-29, Journal, p. 252, Globe, p. 982.*

A bill being reported from the Committee of the Whole with the recommendation that the enacting clause be stricken out, the question of concurrence is debatable in the House, and the motion to lay on the table is not in order. (939, 940) *1-43, Journal, p. 629, Record, p. 2342; 2-53, Journal, pp. 21, 22, Record, pp. 120, 121.*

The motion to commit under section 1 of Rule XVII may not be subjected to a motion to lay on the table. *1-56, Record, p. 3061; 2-58, Record, p. 4075.*

The previous question having been ordered and a motion to recommit having been made pending the vote on the passage, it was held that a motion to lay on the table the motion to recommit was not in order. (1000) *1-52, Journal, pp. 154, 155, Record, p. 3540.*

The motion to lay on the table is not in order in Committee of the Whole. *1-57, Record, p. 2588.*

Before general debate has been closed in Committee of the Whole, it is not in order to move to report the bill with the recommendation that it be laid on the table. *1-57, Record, p. 1038.*

(*e*) ***Relations to motion to reconsider.***

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. (1231, 1232) *3-27, Journal, pp. 310, 328, 334, Globe, p. 256; 1-33, Journal, p. 357, Globe, p. 397.*

It is not in order to move to reconsider the vote whereby an appeal from a decision of the Chair is laid on the table. (1231, footnote) *1-33, Journal, pp. 735, 762.*

LAY ON THE TABLE, MOTION TO—Continued.

(*e*) ***Relations to motion to reconsider***—Continued.

A negative vote on a motion to lay on the table may be reconsidered. (1233, 1234) *2-32, Journal, p. 234; 1-52, Journal, pp. 113-115, Record, p. 2550.*

The vote whereby the House refuses to lay a bill on the table having been once reconsidered, a second motion to reconsider such vote is not in order. (1234) *1-52, Journal, pp. 113-115, Record, p. 2550.*

In accordance with the latest ruling an affirmative vote on the motion to lay on the table may be reconsidered. (1231, footnote) *1-33, Journal, pp. 735, 762; 1-35, Journal, pp. 1118, 1136, Globe, pp. 3026, 3030, 3045; 2-46, Record, p. 1807; 2-54, Record, p. 1947; 2-55, Record, p. 2448; 3-58, Record, p. 278.*

Less than a quorum being sufficient to dispense with proceedings under a call, the same vote is sufficient on reconsideration and on a motion to table the motion to reconsider. (319) *2-43, Journal, p. 548, Record, p. 1731.*

It has been decided that during a call of the House the motion to reconsider might be entertained and might be laid on the table, although there was no quorum. (318) *2-52, Journal, p. 77, Record, p. 1259.*

LEAVE TO PRINT.

See "Congressional Record."

LEGISLATION.

The rule provides that all proposed legislation shall be referred to the committees in accordance with the jurisdiction which the rules define for them. (610) *Rule XI, section 1.*

LEGISLATION ON APPROPRIATION BILLS.

See "Appropriation bills."

LEGISLATIVE DAY.

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. (1505) *1-33, Journal, pp. 804, 811, Globe, p. 1177.*

When, through an erroneous announcement of the vote, the House is declared adjourned, and in fact disperses, the session when it next meets is a new legislative day. (1493) *2-49, Record, p. 314.*

An adjournment does not necessarily take place at 12 p. m. Saturday, it being for the House to decide whether or not it will continue in session on Sunday. (1503, 1504) *1-24, Journal, pp. 577-582, Globe, p. 265; 2-44, Record, p. 2242.*

LEGISLATIVE DAY—Continued.

A session of the House extending, by failure to adjourn, through the next calendar day, a special order for the latter day falls, as the session is of the legislative and not the calendar day. (1271) *1-50, Journal, pp. 1491, 1505, 1506, Record, pp. 2749, 2755.*

The legislative day of March 3, of the final session of a Congress, is held to terminate at 12 m. on March 4, unless a motion is made and carried for an adjournment previous to that hour. (1521, 1522) *2-31, Globe, pp. 784, 918-920; 3-46, Record, p. 2456.*

Sunday may be a legislative day. *2-57, Journal, p. 220, Record, pp. 1944-1947.*

Sunday has been made a legislative day for eulogies of deceased Members. *2-57, Journal, p. 191; Record, p. 1549; 2-58, Record p. 4594.*

LEGISLATIVE EXPENSES.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

LEVEES AND IMPROVEMENTS OF THE MISSISSIPPI RIVER, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (632) *Rule X, Rule XI, section 24.*

Relation of the Committees on Levees and Improvements of the Mississippi River with the Committee on Rivers and Harbors. *2-56, Record, pp. 1094, 1095.*

LIABILITY.

Bills releasing liability to the United States or referring any claim to the Court of Claims must be considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

LIBRARIAN OF CONGRESS.

Entitled to the privileges of the floor of the House during its session. (1740) *Rule XXXIV.*

LIBRARY, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (654) *Rule X, Rule XI, section 56.*

The Senate portion of the Joint Committee on the Library has authority in recess. (1762) *22 Stat. L., p. 592.*

The membership of the Joint Committee on Library is fixed by law. *32 Stat. L., p. 735.*

Expends the appropriation for the Botanic Garden. *33 Stat. L., p. 642,*

LIBRARY.

Statutes relating to the Library of Congress. (1762) *Revised Statutes, sections 80–88, 93, 94, 25 Stat. L., p. 262; 26 Stat. L., p. 678; 28 Stat. L., p. 577; 18 Stat. L., p. 512; 29 Stat. L., pp. 544–546; 22 Stat. L., p. 592.*

Use of rooms in Capitol lately occupied by Congressional Library. *31 Stat. L., p. 719.*

The House Library. (1764.)

Law library is kept open while the House is in session. (1762, footnote) *25 Stat. L., p. 262.*

The library of the House is under the control and direction of the Librarian of Congress, and the librarian and three assistants are appointed by the Clerk, with the approval of the Speaker, and removals must be for cause, approved by the Committee on Rules. *31 Stat. L., p. 964.*

LIFE-SAVING SERVICE.

Subjects relating to, belong to the jurisdiction of the Committee on Interstate and Foreign Commerce. (616) *Rule XI, section 7.*

LIGHT-HOUSES.

Subjects relating to, belong to the jurisdiction of the Committee on Interstate and Foreign Commerce. (616) *Rule XI, section 7.*

The establishment of a light-house, and even the building of a new vessel for a light-house tender, have been ruled not to be in continuation of a public work. (498, 499) *1–49, Record, pp. 5976, 5977, 5979.*

LIMITATIONS ON APPROPRIATIONS.

See "Appropriation bills."

LIQUOR TRAFFIC.

Subjects relating to, belong to the jurisdiction of the Committee on Alcoholic Liquor Traffic. (646) *Rule XI, section 38.*

LOBBY.

The Speaker preserves order on the floor and in galleries and lobby. (42) *Rule I, section 2.*

In case of disorder, the chairman of the Committee of the Whole has power to cause the lobby to be cleared. (724) *Rule XXIII, section 1.*

LOSS OF A BILL.

Procedure in case of the loss of the engrossed copy of a bill. (475) *2–54, Record, p. 406.*

A Senate bill having been lost in the House, a resolution requesting a duplicate copy from the Senate was presented as privileged. (482) *1–54, Record, p. 2236.*

LOSS OF A BILL—Continued.

Procedure in a case where the engrossed copy of a House bill with Senate amendments has been lost by the House. *1-59, Record, pp. 2577, 2589, 2623.*

The House may not consider a Senate bill unless in possession of the engrossed copy, but may at once direct that the Clerk request a duplicate engrossed copy of the bill. *2-59, Record, pp. 4257, 4260.*

LOUISIANA PURCHASE.

Subjects referring to, belong to jurisdiction of the Committee on Industrial Arts and Expositions. *Rule XI, section 60.*

MACE.

The mace is the symbol of the Sergeant-at-Arms, and is borne by him while enforcing order. (1716) *Rule IV, section 2.*

The mace is taken down when the Committee of the Whole sits. (759, footnote.)

In attending the Speaker and the House to the Senate the Sergeant-at-Arms does not carry the mace. (1775.)

MAILS.

The Postmaster superintends the post-office in the Capitol and is responsible for the delivery of the mail of Members. (1725) *Rule VI.*

The Postmaster having died, it was held that contracts for carrying the mails must be made by the Clerk, and not by the Assistant Postmaster. (1726) *Decisions Comptroller of the Treasury (Bowler), Vol. I, p. 496.*

MAIL SERVICE.

The continuation of special facilities for mail service on trunk lines of railroad has been held to be such public work or object as would justify provision on an appropriation bill. (500, 501) *2-52, Record, pp. 1807, 1813; 1-54, Record, p. 2664.*

New propositions to appropriate for "necessary and special facilities" for transporting the mails on railroads are subject to the point of order that they involve change of existing law. (565, 566) *2-46, Record, pp. 3023, 3024; 2-54, Record, pp. 1782, 1783.*

MAJORITY.

Where the House is equally divided the question is lost. (1123) *Jefferson's Manual, Section XLI, p. 201.*

On a vote by ballots, if a majority be not obtained on the first ballot, the voting continues until the majority is obtained. (1125) *Rule XL.*

MANAGERS OF CONFERENCE.

See "Conferees."

MANAGERS OF IMPEACHMENTS.

The managers of impeachments, except in the later cases, have been elected by ballot. (1696–1702) *2–5, Journal, p. 153, Annals, Vol. I, p. 952; 2–8, Journal, pp. 44, 45; 1–21, Journal, p. 591; 2–37, Journal, pp. 712–717; 2–40, Journal, p. 450; 1–44, Record, p. 1426.*

MANAGERS OF SOLDIERS' HOME.

Elected by joint resolution of Congress. (1784) *Revised Statutes, section 4826.*

MANUFACTURES, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (628) *Rule X, Rule XI, section 20.*

MEASURES.

Subjects relating to, belong to the jurisdiction of the Committee on Coinage, Weights, and Measures. (615) *Rule XI, section 6.*

MEETINGS OF COMMITTEES.

Although committees meet when and where they please (except that they may not sit during sessions of the House without leave), they can only agree to a report acting together. (601) *Jefferson's Manual, Section XXVI, p. 166.*

MEETING OF CONGRESS.

(*a*) *General provisions.*
(*b*) *Organization of the House.*

(*a*) ***General provisions.***

The Constitution provides that Congress shall meet on the first Monday in December of every year, and that the President may on extraordinary occasions convene both or either of the Houses. (1) *Constitution, Article I, section 4, Article II, section 3, pp. 5, 23.*

The President may convene both Houses, or either of them, and in case of disagreement as to adjournment may adjourn them. (1486) *Constitution, Article II, section 3, p. 23.*

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. *2–58, Record, pp. 1397–1402, 1407–1415.*

(*b*) ***Organization of the House.***

The assembling of the House, and the forms and ceremonies of organization. (1–6.) See also, *Oath* and *Organization.*

MEETING OF CONGRESS—Continued.

(*b*) ***Organization of the House***—Continued.

At the beginning of each Congress the Clerk makes up the roll of Members-elect, and declines to entertain motions to amend that roll when the House meets. (1714 and 1710, footnote) *Revised Statutes, section 31; 1-41, Globe, p. 3; 1-43, Record, p. 5; 1-45, Journal, pp. 9, 10.*

At the beginning of each Congress the Clerk calls the Members to order, calls the roll, and presides pending the election of Speaker, deciding questions of order, subject to an appeal. (1710) *Rule III, section 1.*

In the absence or disability of the Clerk the Sergeant-at-Arms may officiate at the organization of the House. (1717) *Revised Statutes, section 32.*

In the absence of Clerk and Sergeant-at-Arms the Doorkeeper makes up the roll of Members at the beginning of Congress. (1721) *Revised Statutes, section 33.*

If the Speaker be not present at the opening of a session of Congress the House may adjourn or elect a Speaker *pro tempore.* (3) *2-21, Debates, pp. 347-350.*

The Journal of the last day of a session that has adjourned without day is not read on the first day of the succeeding session. (216) *2-44, Journal, pp. 18-22, Record, pp. 13, 14.*

The rule provides that the Speaker shall appoint the standing committees at the commencement of each Congress. (604) *Rule X, section 1.*

MEETING OF THE HOUSE.

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. (1505) *1-33, Journal, pp. 804, 811, Globe, p. 1177.*

The Committee of the Whole being in session when the hour arrives for the next regular meeting of the House, it rests with the committee to determine whether or not it will rise. (1506, 1507) *1-24, Globe, p. 434; 1-26, Globe, p. 285.*

The House has, under the terms of a special rule, met only on Monday and Thursday of each week. (1515) *1-55, Record, p. 933.*

The House fixes the hour of daily meeting at the beginning of each session. *2-57, Journal, p. 6, Record, p. 4.*

MEMBERS.

(*a*) *General provisions relating to.*
(*b*) *Documents, seeds, stationery, etc.*
(*c*) *Franking privilege.*
(*d*) *Appointment of cadets.*
(*e*) *Rights of, as to motions.*
(*f*) *Rights of, as to votes.*
(*g*) *Charges against.*
(*h*) *Holding other offices.*
(*i*) *Decorum of.*
(*j*) *Punishment and expulsion of.*
(*k*) *Rights of, as to reading papers.* See "Reading of papers."
(*l*) *Rights of, as to remarks in the Record.* See "Congressional Record."
(*m*) *Introduction of bills, etc.* See "Bills."
(*n*) *In debate.* See "Debate."
(*o*) *Privileges of.* See "Privilege."
(*p*) *Resignation of.* See "Resignation."
(*q*) *Explanations.* See "Personal explanations."
(*r*) *Voting.* See "Voting."
(*s*) *Personal interest.* See "Personal interest."
(*t*) *Oath of.* See "Oath."
(*u*) *Qualifications of.* See "Qualifications."
(*v*) *Clerks of.* See "Clerks."
(*w*) *Pay and mileage.* See "Pay" and "Mileage."
(*x*) *Deceased members.* See "Ceremonies."
(*y*) *Seats of contested.* See "Contested elections."

(*a*) ***General provisions relating to.***

Every Member shall be present during sessions of the House. (9) *Rule VIII, section 1.*

The names of members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the Journal. *1-59, Record, p. 5485.*

The Member as an officer of the Government. *1-56, Report H. of R. No. 85, pp. 36-39.*

The House is the judge of the elections, returns, and qualifications of its own Members. *Constitution, Article I, section 5, p. 5.*

To the Members' gallery the Speaker issues one card to each Member, for his family and visitors; and in this gallery the Speaker controls one bench. (1741) *Rule XXXV.*

MEMBERS—Continued.

(*a*) ***General provisions relating to***—Continued.

A resolution from the Committee on Ventilation and Acoustics relating to the comfort of Members in the Hall was presented as a question of privilege and received as such. (1738) *2-53, Journal, p. 421. Record, pp. 5924, 5989.*

The Postmaster superintends the post-office in the Capitol and is responsible for the delivery of the mail of Members. (1725) *Rule VI.*

Apportionment of Members to the several States. (1773) *31 Stat. L., p. 733.*

(*b*) ***Documents, seeds, stationery, etc.***

It is the duty of the Clerk to have printed and delivered to each Member a list of the reports required to be made to Congress. (1711) *Rule III, section 2.*

Each Member entitled to ten charts of Coast Survey. (11) *28 Stat. L., p. 620.*

The Clerk preserves for each Member a copy of documents printed by either of the two Houses. (1712) *Rule III, section 3.*

Extracts from Congressional Record may be printed for Members at cost. (1679) *18 Stat. L., p. 347.*

A Member is notified once in sixty days of the number and character of documents assigned to him. (1721) *28 Stat. L., p. 612.*

Binding of public documents for Members. (1748) *28 Stat. L., p. 624.*

Division of documents among Members. (1748) *28 Stat. L., p. 612.*

Limit of time for the withdrawal of documents by a retiring Member. (1748) *28 Stat. L., p. 612.*

The time allowed Members, who may be reelected, for distributing documents continues during their successive terms and until their right to frank documents ceases. *30 Stat. L., p. 217.*

Printing and distribution of eulogies of deceased Members. (1749) *28 Stat. L., p. 616.*

Printing of the laws for Members. (1785) *Revised Statutes, sections 3805, 3807; 18 Stat. L., p. 401.*

The distribution of seeds by Members. (1787) *28 Stat. L., pp. 269, 270; 29 Stat. L., p. 106.*

Stationery for Members and committees. (1757, 1758) *2-40, Journal, 1173; 28 Stat. L., p. 624; Decisions First Comptroller (Bowler), 1893-1894, p. 47.*

MEMBERS—Continued.

(*c*) ***Franking privilege.***

No allowance is made the Member for postage (R. S., sec. 44); but Members and Delegates and the Clerk may send and receive free through the mail all public documents printed by order of Congress, the name of the user and designation of the office being written thereon, this privilege continuing until the 1st day of December following the expiration of the user's term of office. *19 Stat. L., p. 336; 20 Stat. L., p. 10.* The Congressional Record or any part thereof, or speeches or reports contained therein, may, under the frank of a Member or Delegate, to be written by himself, be carried free under such regulations as the Postmaster-General may prescribe. *18 Stat. L., p. 343.* Seeds transmitted by the Commissioner of Agriculture, or by any Member or Delegate receiving seeds from the Department for transmission, are sent free in the mails under frank, and this privilege applies to ex-Members and ex-Delegates for a period of nine months after the expirations of their terms. *18 Stat. L., p. 343.* The Public Printer furnishes to the Department of Agriculture for the use of Members franks for the transmission of seeds. *32 Stat. L., pp. 741, 742.* Members, Members-elect, Delegates, and Delegates-elect may send free through the mails, under their franks any mail matter to any Government official or to any person, correspondence not exceeding 2 ounces in weight, upon official or departmental business. *28 Stat. L., p. 622; 26 Stat. L., p. 1081; 30 Stat. L., p. 443.*

The Government telegraph lines may be used by Members and officers of Congress solely on public business. *18 Stat. L., p. 20.*

(*d*) ***Appointment of cadets.***

The corps of cadets at the Military Academy consists of one from each Congressional District, one from each Territory, one from the District of Columbia, and two from the United States at large, all to be appointed by the President, under certain regulations prescribed by the statutes. *Revised Statutes, sections 1315–1325.*

At the Naval Academy there are allowed two midshipmen for each Member and Delegate. As soon as practicable after March 5 of each year the Secretary of the Navy notifies each Member or Delegate of any vacancy for his district, and the appointment to fill the vacancy is made on recommendation of the Member or Delegate, under conditions prescribed by the statutes. *Revised Statutes, sections 1512–1522; 28 Stat. L., p. 136; 32 Stat. L., pp. 1197, 1198.*

MEMBERS—Continued.

(*e*) ***Rights of, as to motions.***

A Member may demand that the question of consideration be put. (810) *Rule XVI, section 3.*

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. (817, 818) *1-35, Globe, pp. 2959, 2960; 1-54, Record, pp. 6283, 6299.*

A motion shall be reduced to writing on the demand of any Member, and shall be entered on the Journal with the name of the Member making it, unless withdrawn on the same day. (922) *Rule XVI, section 1.*

A motion must be made before the Member may proceed in debate. *1-57, Record, p. 7387.*

A Member may submit more than one motion in connection with a pending proposition if the latter motion is of higher dignity than the former. (925) *2-33, Journal, pp. 483, 486, Globe, pp. 983, 994.*

A Member may withdraw or modify his motion at any time before there has been a decision upon it, such as the adoption of an amendment or the ordering of the previous question. (935, 936) *1-51, Journal, p. 1041, Record, p. 10105; 1-52, Journal, p. 144, Record, pp. 3299-3301.*

A proposed amendment may not be accepted by the Member in charge of the pending measure, but can be agreed to only by the House. *1-57, Record, p. 1145; 3-58, Record, pp. 659, 660.*

A Member who has, by unanimous consent, presented a bill may withdraw it while the House is dividing on an appeal from a decision relating to a proposed amendment. *3-55, Record, pp. 270, 271.*

Any Member of the majority may make the motion to reconsider, which takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

Where there has been no yea-and-nay vote, any Member, irrespective of whether or not he voted with the majority, may make the motion to reconsider. (1192, 1193, 1228) *2-53, Journal, p. 149, Record, p. 2034; 1-54, Record, p. 5298; 1-45, Journal, p. 290, Record, pp. 811, 812.*

The motion to reconsider a yea-and-nay vote may not be made by a Member who, not voting, was paired in favor of the majority's contention. *1-59, Record, p. 7095.*

Rules are suspended by a two-thirds vote on the last six days of a session and on the first and third Mondays of each month, individuals having preference on the first Monday and committees on the third. (1556) *Rule XXVIII, section 1.*

MEMBERS—Continued.

(*e*) ***Rights of, as to motions***—Continued.

On a motion to suspend the rules, a member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. *3-58, Record, p. 1941.*

A Member opposed to a bill, having the floor, may make a motion for the previous question, although the effect of the motion may be to deprive the Member in charge of his control of the bill. *1-56, Record, p. 4864.*

A Member may not demand the previous question if the Member in charge of the bill claims the floor in debate. *2-57, Record, p. 2857.*

(*f*) ***Rights of, as to votes.***

On the demand of any Member, before the question is put, a question shall be divided if it include propositions so distinct as to admit of division. (1132) *Rule XVI, section 6.*

It is a frequent practice for the House to agree at one vote to all the amendments of a bill reported from the Committee of the Whole, but it is the right of any Member to demand a separate vote on any or all of the amendments. (1110) *2-55, Record, p. 1363.*

The correction in the Journal of the erroneous record of a Member's vote is made as a matter of right and not by vote of the House. *2-57, Record, p. 2709.*

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. *1-59, Record, p. 5258.*

(*g*) ***Charges against.***

If charges arise against a Member, he is to be heard. (8) *Jefferson's Manual, Section XVII, p. 158.*

A proposition to investigate the propriety merely of a citizen's conduct at a time before he became a Member may not be presented as a question of privilege. *2-58, Journal, pp. 693, 694, Record, pp. 5655, 5657, 5750, 5751.*

Question as to proper procedure when the course of an investigation before a committee implicates a Member. (166) *2-25, Journal, pp. 501, 502, 811, 858, 860, 861, Globe, pp. 200, 201, 320, 329, 494.*

(*h*) ***Holding other offices.***

Decisions concerning Members and Members-elect who have occupied or been about to occupy other offices under the Government. (12) *1-38, Report H. of R. No. 110, Globe, p. 3389; 3-55, Record, p. 2751; 3-55, Report H. of R. No. 2205.*

MEMBERS—Continued.

(*b*) ***Holding other offices***—Continued.

A Member having assumed the duties of a State office, it was recommended that his name be stricken from the roll of the House. (13) *2-48, Report H. of R. No. 2679.*

Members of the House are eligible for appointment as members of commissions created by act of Congress. *3-55, Report H. of R. No. 2205.*

(*i*) ***Decorum of.***

Members may not smoke in the House, or interrupt debate by going out, or wear their hats, or remain near the Clerk's desk during a roll call. (10) *Rule XIV, section 7.*

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155; 1-57, Record, p. 3631; 2-57, Record, pp. 2926, 2927.*

It is not in order in debate for one Member to accuse another of an offense, although not connected with the representative capacity of the latter. *3-58, Record, pp. 2481, 2482.*

Questions involving the distinction between general language and personalities in debate. *3-58, Record, pp. 2479, 2481, 2482.*

The Speaker may name any Member persisting in disorderly conduct. (1626) *Jefferson's Manual, Section XVII, p. 156; 2-58, Record, p. 3587.*

If any Member, in speaking or otherwise, transgress the rules of the House it is the duty of the Speaker and the privilege of any Member to call him to order, in which case he shall sit down, and the offense may be a subject of decision by the House. (871) *Rule XIV, section 4.*

A Member called to order in debate must take his seat, although he may be permitted by the House to proceed in order or explain. (1636-1639) *2-51, Journal, 174, Record, p. 1788; 1-52, Journal, p. 87, Record, p. 1703; 2-53, Journal, p. 137, Record, pp. 1879, 1880; 2-55, Record, p. 3814.*

A Member who has been called to order in debate and directed to sit down may not proceed on yielded time. *2-57, Record, pp. 2926, 2927.*

When a Member is called to order for words spoken in debate, the words are to be taken down at once, before further debate or business has intervened. (899) *Rule XIV, section 5.*

The words of a Member having been taken down and the Speaker having decided that they were not in order, it was held that a motion that the Member be permitted to explain had precedence of a motion that he be permitted to proceed in order. (902) *2-53, Journal, p. 132, Record, p. 1811.*

MEMBERS—Continued.

(*i*) ***Decorum of***—Continued.

The Speaker having decided that words spoken are out of order, the Member may be permitted to explain, and then it is in order to move that he be allowed to proceed. (903, 904) *1-52, Journal, p. 343; 2-53, Journal, p. 204, Record, p. 2450.*

(*j*) ***Punishment and expulsion of.***

Provision of the Constitution relating to the punishment and expulsion of Members. (7) *Constitution, Article I, section 5, p. 6.*

A Member threatened with expulsion and heard in his own defense may not depute another to appear for him, and is governed by the rules of debate. (30) *2-41, Journal, p. 373.*

A Member may not be tried or punished by the House for an offense alleged to have been committed before his election. (31) *1-44, House Report, No. 815.*

A Member who transgresses the rules of the House is liable to censure or other punishment. (871) *Rule XIV, section 4.*

When a Member who is persisting in his violation of the rule of debate is called to order, it is the practice to test the opinion of the House by a motion "that the gentleman be allowed to proceed in order." (880–882) *2-51, Journal, p. 174, Record, pp. 1787, 1788.*

A Member may be censured for unparliamentary language used in Committee of the Whole. (1635) *1-51, Journal, pp. 623–625, Record, pp. 4861, 4862, 4868, 4876.*

MEMBERS-ELECT.

At the beginning of each Congress the Clerk makes up the roll of Members-elect, and declines to entertain motions to amend that roll when the House meets. (1714, 1710, footnote) *Revised Statutes, section 31; 1-41, Globe, p. 3; 1-45, Journal, pp. 9, 10.*

A Member-elect's letter of resignation, transmitted to the Speaker before the election of that officer, was laid before the House after organization. *1-57, Journal, p. 6, Record, p. 45.*

By unanimous consent the oath of office may be administered to Members whose regular certificates have not arrived. *1-57, Journal, p. 223, Record, p. 692; 2-58, Record, pp. 15, 16; 2-59, Record, p. 13.*

The credentials of a Member-elect indicating that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced. *2-56, Journal, pp. 5, 20, Record, pp. 15, 46.*

An instance wherein a Member-elect was appointed on a committee before taking the oath. *2-57, Journal, pp. 24–75, Record, p. 501; 1-59, Record, pp. 297, 546, 591.*

MEMBERS-ELECT—Continued.

Instance at the beginning of a second session wherein the oath was administered to a Member-elect before the ascertainment of a quorum. *2-53, Record, pp. 15, 16.*

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The question as to the pay of a Member-elect after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation of effect on the day the term of the Congress began. *2-59, Record, pp. 351, 352, Reports H. of R. Nos. 8043, 8064.*

MEMORIALS.

The rule for the introduction of memorials. (448) *Rule XXII, section 1.*

Except in certain cases, no paper presented to the House shall be withdrawn from the files without leave of the House. (1752) *Rule XXXIX.*

MEMORIAL RESOLUTIONS.

See "Ceremonies."

MEMORIAL ASSOCIATION (D. C.).

The Speaker appoints annually two members of the Memorial Association of the District of Columbia. *27 Stat. L., p. 396.*

MERCHANT MARINE AND FISHERIES, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (618) *Rule X, Rule XI, section 8.*

MESSAGES.

(*a*) *Reception of.*
(*b*) *From the President.*
(*c*) *From the Senate.*

(*a*) ***Reception of.***

The parliamentary law relating to the reception of messages. (1449) *Jefferson's Manual, Sections XII, XLVII, pp. 147, 210, 211.*

Messengers are saluted by the Speaker of the House. (1449) *Jefferson's Manual, Section XLVII, p. 210.*

The reception of a message from the President or the Senate is not the transaction of business. (1452) *1-49, Record, p. 7243.*

Admitted while the House is acting as in Committee of the Whole. (802) *Jefferson's Manual, Section XXX, p. 172.*

If a message is announced during a sitting of the Committee of the Whole, the Speaker takes the chair to receive it. (1449) *Jefferson's Manual, Section XII, p. 148.*

MESSAGES—Continued.

(*a*) ***Reception of***—Continued.

A roll call or a Member on the floor may be interrupted for the reception of a message. (1449, footnote.)

If a messenger commits an error, he may be recalled to rectify it. (1449) *Jefferson's Manual, Section XLVII, p. 210.*

Messages from the Senate and President giving notice of bills passed or approved are entered in the Journal and published in the Record. (1448) *Rule XLI.*

At an informal rising of the Committee of the Whole a message may be laid before the House only by unanimous consent. *1–57, Record, p. 6746.*

One House sometimes asks of the other the return of a message. *1–57, Journal, p. 872, Record, pp. 7595, 7600; 1–59, Record, pp. 9475, 9546.*

Practice as to the transmittal of messages to the Senate. *1–57, Record, pp. 5950, 6043.*

The House having instructed its conferees at a second conference, and having by message informed the Senate of the instructions, that body agreed to the conference, although there was protest at the message. *1–57, Journal, pp. 701–713, Record, pp. 5363, 5364, 5371, 5404, 5407, 5567, 5619; 2–57, Journal, p. 278, Record, pp. 2506, 2519, 2522.*

The House having instructed its conferees in the first instance, and having informed the Senate by message of the instructions, the latter body objected to the instructions, and to the transmittal of them by message. *1–57, Journal, p. 725, Record, pp. 5686, 5689, 5696, 5844, 5850, 5956, 5958.*

(*b*) ***From the President.***

The Constitution provides that the President shall from time to time give to Congress information and recommendations. (1447) *Constitution, Article II, section 3, p. 23.*

While a question of privilege is pending the reading of a message from the President is in order only by unanimous consent. (1453) *3–34, Journal, p. 48, Globe, p. 38.*

While a question of privilege is pending a message from the President may be received, but may not be acted on. (436–438) *2–25, Journal, p. 817, Globe, p. 334; 2–53, Journal, pp. 292, 293, 295, Record, pp. 3351, 3352, 3353.*

While a question of privilege is pending a veto message from the President may be received and read, but not acted on. (437, 438) *2–53, Journal, pp. 292, 293, 295, Record, p. 3353.*

MESSAGES—Continued.

(*b*) ***From the President***—Continued.

The reading of the documents accompanying a message of the President may not be demanded as a matter of right. (1246, 1247) *2-44, Journal, pp. 294-297, Record, p. 925; 2-53, Journal, pp. 37-41, Record, pp. 374, 375.*

It is the practice to spread all President's messages on the Journal. (1459, footnote) *1-30, Globe, p. 96.*

The documents accompanying a message of the President are not printed in the Record. (1687) *1-54, Record, p. 834.*

The method of referring and distributing the President's annual messages. (1461, 1462) *2-55, Record, p. 11; 1-54, Record, p. 26; 1-52, Record, p. 20; 1-51, Record, p. 92; 1-55, Record, p. 19.*

Messages of the President, other than the annual, are usually referred by the Speaker under the rule, but the House sometimes makes the reference. (349) *Rule XXIV, section 2; 2-57, Record, p. 339.*

A message of the President is usually communicated to both Houses on the same day, but an original document accompanying can, of course, be sent to but one House. (1449, 1454, 1455) *Jefferson's Manual, Section XLVII, p. 211; 1-35, Journal, p. 270, Globe, p. 533; 2-55, Record, pp. 3285, 3286.*

Messages sent to the House by the President before its organization have been retained in custody of the Clerk, but have not been read. (1450, 1451) *1-34, Journal, pp. 221-228, 231-233, 444, 511, Globe, pp. 111-113; 1-36, Journal, p. 83, Globe, p. 268.*

The rule for closing general debate in Committee of the Whole applies to messages of the President as well as bills, and may be applied to a particular portion of a message. (916) *1-32, Journal, pp. 146, 147.*

The practice of the President in sending an annual message to Congress dates from the Administration of Jefferson. (725) *1-7, Journal, p. 7.*

It is usual for the President to inform the House by message of such bills as he has approved and of such as have become laws without his approval. (1456, 1457) *2-36, Journal, p. 424; 2-39, Journal, p. 479.*

When a bill is returned to the House with the objections of the President, it is usual to have the message read at once. (1468-1470) *2-27, Journal, pp. 1032, 1051, Globe, pp. 695, 717; 1-29, Journal, pp. 1209, 1214, 1218, Globe, p. 1183; 1-34, Journal, pp. 1176, 1178, Globe, p. 1563.*

A veto message may not be read or considered in the absence of a quorum. (1472) *1-33, Journal, p. 1341, Globe, p. 2144.*

MESSAGES—Continued.

(*b*) ***From the President***—Continued.

The House has decided that a veto message may be referred to a committee, even without the bill. (1478) *2-27, Journal, pp. 1253-1257, Globe, pp. 873, 875, 905.*

A protest by President Tyler against certain proceedings of the House was declared a breach of privilege. (136) *2-27, Journal, p. 1459, Globe, pp. 894, 973, 974.*

The reading of a message from the President having been prevented in the closing hours of a session, it was read at the beginning of the next session. (350) *1-30, Journal, p. 1293, Globe, p. 1082.*

(*c*) ***From the Senate.***

The rejection of a bill is notified by message to the House in which it originated. (1463) *Jefferson's Manual, Section XLVII, p. 211.*

It is the parliamentary rule, although not always adhered to, that messages between the Houses are to be sent only while both Houses are sitting. (1463-1465) *Jefferson's Manual, Section XLVII, p. 209; 1-52, Journal, p. 230, Record, p. 5371; 2-55, Record, p. 4002.*

The parliamentary law relating to messages between the Houses. (1463) *Jefferson's Manual, Section XLVII, pp. 209-211.*

When a conference report is ruled out on a point of order, it is equivalent to a negative vote on the report, and the Senate is informed by message that the House has "disagreed" to the report. (1417) *2-55, Record, p. 4514.*

One House having made a change in a committee of conference, the other is notified by a message. *1-56, Record, pp. 5223, 5668, Journal, pp. 573, 591; 1-59, Record, p. 7627.*

MILEAGE.

Rate of, for Members. (11) *14 Stat. L., p. 323.*

Statutes relating to the mileage of Members. (1755) *14 Stat. L., p. 323; 18 Stat. L., p. 4; 11 Stat. L., pp. 367, 442, 443; Revised Statutes, sections 41, 45; Decisions Comptroller, Vol. II, p. 339; 2-58, Record, pp. 1397, 1415.*

The provision of law relating to the mileage of Members applies only to the regular sessions of Congress. (1756) *Decisions First Comptroller, 1893, 1894 (Bowler), p. 48.* As to appropriation for mileage at a regular session succeeding a special session. *2-53, Record, pp. 411-415; 2-58, Record, pp. 1397-1402, 1407-1415.*

The pay and mileage of Members are disbursed by the Sergeant-at-Arms. (1715, 1717) *Rule IV, section 1; 26 Stat. L., pp. 645, 646.*

The certificate of the Speaker is conclusive as to salary and mileage. (1755) *Decisions Comptroller, Vol. II, p. 339.*

MILEAGE—Continued.

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. *33 Stat. L., p. 1.*

MILEAGE, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (653) *Rule X, Rule XI, section 55.*

MILITARY ACADEMY.

Subjects relating to, belong to the jurisdiction of the Committee on Military Affairs. (621) *Rule XI, section 12.*

Visitors to be appointed by the Speaker. (48) *Supplement Revised Statutes, Vol. I, p. 217.*

Appointment of cadets in. (1786) *Revised Statutes, sections 1315, 1317.*

MILITARY AFFAIRS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (621) *Rule X, Rule XI, section 12.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

The appropriation for field guns and their appurtenances belongs to the Appropriations and not to the Military Affairs Committee. (62, 673) *1-51, Record, pp. 2857, 2862; 2-55, Record, pp. 1479-1481; 2-59, Record, p. 907;* but the control and direction apparatus for field artillery comes within the jurisdiction of the Committee on Military Affairs. *1-59, Record, pp. 3071-3080.*

The maintenance and equipment of arsenals and armories are within the jurisdiction of the Appropriations Committee, while the Military Affairs Committee has charge of the manufacture of small arms, equipments, etc. *1-56, Record, p. 1397, Journal, pp. 219, 220; 2-59, Record, p. 907.*

Appropriations for barracks and quarters for troops of the seacoast artillery are within the jurisdiction of the Committee on Appropriations, and not of the Committee on Military Affairs. *2-59, Record, pp. 854, 900.*

MILITARY OFFICERS.

Decisions concerning Members and Members-elect who have occupied or been about to occupy military offices under the Government. (12) *1-38, House Report No. 110, Globe, p. 3389; 3-55, Record, p. 2751; 3-55, Report H. of R. No. 2205.*

MILITIA, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (635) *Rule X, Rule XI, section 27.*

MINES AND MINING, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (629) *Rule X, Rule XI, section 21.*

MINORITY OF A COMMITTEE.

The minority of a committee may not make a report, but may file their views, which may be placed on the Calendar under the rule. (707-711) *1-24, Journal, p. 561, Globe, p. 261; 2-27, Globe, p. 248; 1-31, Globe, p. 1343; 2-41, Globe, p. 954; 1-47, Journal, p. 1709, Record, pp. 6417-6419.*

The rule requires that the views of the minority shall be presented at the same time as the report of the committee. (712) *1-54, Record, p. 6112.*

Views of the minority may not include transcripts of testimony or other matters not strictly in the nature of argument. *1-56, Record, pp. 6759, 6760.*

MISSISSIPPI RIVER, LEVEES OF.

Subjects relating to, belong to the jurisdiction of the Committee on Levees and Improvements of the Mississippi River. (632) *Rule XI, section 24.*

MISTAKES.

The parliamentary law provides that a mistake in the report of the tellers may be rectified after it is made. (1123) *Jefferson's Manual, Section XLI, p. 201;* see, however (1141), *1-29, Globe, p. 347.*

See also "Errors."

MODIFICATION.

On a motion to suspend the rules, as on other motions, a Member has the right to modify a proposition submitted by him at any time before action which places it within the control of the House. (1595) *1-50, Journal, pp. 2716, 2722, Record, p. 8232.*

MONDAYS.

The second and fourth Mondays of each month are set apart for business presented by the Committee on the District of Columbia. (1442) *Rule XXVI, section 3.*

Rules are suspended by a two-thirds vote on the last six days of a session and on the first and third Mondays of each month, individuals having preference on the first Monday and committees on the third. (1556) *Rule XXVIII, section 1.*

MONEY.

Bills appropriating money or property of the United States are considered first in Committee of the Whole. (764) *Rule XXIII, section 3.*

MORNING HOUR.

See "Call of committees."

MOTIONS.

(*a*) *Submission of.*
(*b*) *Precedence of, in House.*
(*c*) *Precedence and effect as to Senate amendments.*
(*d*) *Precedence and effect as to Committee of the Whole.*
(*e*) *Amendment of.*
(*f*) *Withdrawal of.*
(*g*) *Laying on the table.*
(*h*) *Relative to the previous question.*
(*i*) *Question of consideration.*
(*j*) *Not privileged.*
(*k*) *Certain ones not in order.*
(*l*) *In relation to debate.*
(*m*) *In general.*
(*n*) *Dilatory.* See "Dilatory motions."
(*o*) *Striking out and inserting.* See "Strike out."
(*p*) *Strike out enacting clause.* See "Enacting clause."

(*a*) ***Submission of.***

All motions shall be stated by the Speaker or read by the Clerk, and shall then be in possession of the House, but may be withdrawn before a decision or amendment. (923) *Rule XVI, section 2.*

The question on agreeing to committee amendments is put by the Chair without motion from the floor. *1-59, Record, p. 7445.*

A motion must be made before the Member may proceed in debate. *1-57, Record, p. 7387.*

A motion shall be reduced to writing on the demand of any Member, and shall be entered on the Journal, with the name of the Member making it, unless withdrawn on the same day. (922) *Rule XVI, section 1.*

A Member who proposes to submit a motion may not debate it until it has in fact been submitted and read or stated to the House by the Clerk or Speaker. (842) *2-53, Journal, pp. 37-41, Record, p. 376.*

Delegates from the Territories have the right to make motions. (37) *2-30, Journal, p. 503, Globe, p. 581.*

A Delegate may make any motion which a Member may make, except the motion to reconsider. (38) *1-31, Journal, p. 1280.*

It is within the province of the House, but not of the Speaker, to reject an amendment proposed inconsistent with one already agreed to. (1046) *Jefferson's Manual, Section XXXV, pp. 186, 187.*

MOTIONS—Continued.

(*a*) ***Submission of***—Continued.

After a motion for a recess had been made, but before the vote had been taken, the hour to which the recess was proposed to be taken arrived. It was nevertheless held that the question should be taken on the motion. (1484) *2-50, Journal, p. 195, Record, pp. 630, 631.*

A conference report being presented, the question on agreeing to it is regarded as pending. *1-56, Record, p. 6712.*

(*b*) ***Precedence of, in House.***

The motions allowed when a question is under debate, and their precedence. (924) *Rule XVI, section 4.*

The motion to adjourn takes precedence of all others, but may not be received while the House is engaged in voting. (1487) *Jefferson's Manual, Section XXXIII, p. 175.*

Precedence of motion to adjourn over the question of consideration. (812) *2-44, Journal, p. 252, Record, p. 725.*

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. *1-57, Record, p. 2495.*

A conference report may be presented after a motion to adjourn has been made, but the report need not be disposed of before the motion to adjourn is put. (1393-1395) *2-50, Record, pp. 678, 683; 1-51, Journal, p. 822, 904, Record, pp. 6941, 6942, 7880.*

A motion to suspend the rules is in order pending a motion to fix the day to which the House shall adjourn, even when the latter motion is highly privileged. (1603) *2-52, Journal, pp. 75, 76, Record, p. 1255.*

No question being under debate, a motion to fix the day to which the House should adjourn already made was held not to give way to a motion to adjourn. (1512) *2-55, Record, p. 1637.*

A Member may submit more than one motion in connection with a pending proposition, if the latter motion is of higher dignity than the former. (925) *2-33, Journal, pp. 483, 486, Globe, pp. 983, 994.*

Any member of the majority may make the motion to reconsider, which takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

A Member may make the motion to reconsider at any time without thereby abandoning a prior motion made by himself and pending. (1218) *1-53, Journal, pp. 172, 173, Record, p. 3122.*

Motions to amend a paragraph take precedence of motions to strike it out or agree to it, although either of the latter motions may be made first. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

MOTIONS—Continued.

(*b*) ***Precedence of, in House***—Continued.

Each Friday, after the unfinished business is disposed of, the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. (1422) *Rule XXIV, section 6.*

While the Committee of the Whole is dividing on a motion, a new motion may not be made. *3–58, Record, pp. 3530, 3531.*

(*c*) ***Precedence of, and effect as to Senate amendments.***

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree. (1321) *Jefferson's Manual, Section XLV, p. 206.*

Before the stage of disagreement has been reached, the motion to refer Senate amendments has precedence of the motion to concur. (1343–1345) *1–48, Record, p. 3942; 2–52, Journal, p. 101, Record, p. 1954; 2–54, Record, p. 372; 2–55, Record, pp. 839, 840.*

The stage of disagreement not having been reached, the motion to concur with an amendment has precedence of the simple motion to concur. (1346) *2–55, Record, pp. 839, 840.*

The motion to insist has precedence of the motion to adhere. (1365) *1–34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

The motions to insist and ask a conference have precedence of the motion to instruct conferees. (1376–1379) *1–49, Record, pp. 7404, 7405, 7598; 2–54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. (1349–1353) *2–53, Journal, p. 557, Record, p. 8389; 3–53, Journal, p. 185, Record, p. 3178; 1–54, Record, p. 6068; 1–55, Record, p. 2661; 2–55, Record, p. 6731.*

A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. *2–59, Record, p. 4123.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2–55, Record, pp. 4041, 4056, 4060, 4062–4064.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1–55, Record, pp. 2641, 2642.*

The motion to ask a conference is distinct from motions to agree or disagree to Senate amendments. *2–56, Record, pp. 2257, 2258.*

A division of the motion to recede and concur may be demanded. *1–57, Record, pp. 7391, 7392.*

MOTIONS—Continued.

(*d*) ***Precedence of, and effect as to Committee of the Whole.***

In Committee of the Whole the motion to report with a favorable recommendation has precedence of the motion to report with an unfavorable recommendation, and the negative of the former motion is not equivalent to the affirmative of the latter. (746) *1-54, Record, p. 1742.*

In Committee of the Whole motions to amend have precedence of the motion to rise and report. *2-56, Record, pp. 1200-1202; 1-57, Record, pp. 6777, 6778; 2-58, Record, p. 2440.*

In Committee of the Whole a motion to report a bill with the recommendation that it be postponed is in order, but the motion to report the bill with the recommendation that it do pass has precedence. (741) *2-55, Record, p. 843.*

The motion in Committee of the Whole that a bill be laid aside with a favorable recommendation is not amendable, but may be displaced by a preferential motion. *1-59, Record, p. 5748.*

In Committee of the Whole the motion to report a bill with the recommendation that it be referred takes precedence of the motion to report it with the recommendation that it do pass. (745) *1-54, Record, p. 899.*

In Committee of the Whole the motion that a bill be laid aside with a favorable recommendation is not debatable. *1-59, Record, p. 5748.*

In Committee of the Whole the simple motion that the committee rise has precedence of the motion to amend. *1-57, Record, p. 6426.*

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of the recommendations that it be postponed to a day certain or be recommitted to a standing committee. (747) *2-55, Record, pp. 3923, 3924.*

As to the motions in order when a bill again comes up in Committee of the Whole after the committee has refused to report it either favorably or unfavorably. *1-59, Record, pp. 3301, 3302, 7089-7091.*

The motion to strike out the enacting clause applies in Committee of the Whole. *1-56, Record, p. 4887.*

The motions to go into Committee of the Whole House on the state of the Union under section 5 of Rule XXIV may be repeated, although the committee may have risen after having considered a bill under that order of business. *1-56, Record, pp. 4875, 4876, Journal, pp. 522, 524.*

The motion to go into Committee of the Whole House on the state of the Union to consider a particular bill after the morning hour must be authorized by a committee, but the individual member may move to go in generally. *3-58, Record, pp. 167, 168.*

MOTIONS—Continued.

(*d*) ***Precedence of, and effect as to Committee of the Whole***—Continued.

The motion to go into the Committee of the Whole House on the state of the Union may be made after sixty minutes of morning hour, or sooner if that order fails. *Record, pp. 877, 878.*

The motion to close general debate may not be made in Committee of the Whole. *2-56, Record, pp. 3236, 3237.*

After the vote has been taken on the motion to go into Committee of the Whole it is too late to offer a motion to close general debate in the Committee of the Whole. *2-56, Journal, pp. 292, 293, Record, pp. 3235, 3236.*

The House having voted to resolve itself into Committee of the Whole, the Chair declined to entertain a motion to adjourn, but did entertain an appeal from his decision. *2-57, Journal, p. 271, Record, pp. 2228, 2229.*

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday as against private business. *2-57, Record, p. 2425.*

The motion to go into Committee of the Whole House to consider business on the Private Calendar may not include a designation of the bills to be considered by the committee. *1-56, Record, p. 2355, Journal, p. 311.*

It is not in order on Friday to move to go into Committee of the Whole House to consider a particular bill. *1-56, Record, pp. 1223, 1224.*

(*e*) ***Amendment of.***

Application of the motion to amend to other motions and other amendments. (1045) *Jefferson's Manual, Section XXXIII, p. 181.*

The motion to resolve into Committee of the Whole to consider a privileged bill is not amendable or debatable. *1-59, Record, p. 7248.*

An amendment to an amendment is in order, but a motion may not be made to amend in the third degree. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

A motion to amend the motion for the previous question is not in order. (1045) *Jefferson's Manual, Section XXXIII, p. 181.*

A motion to commit may be amended, as by adding, for example, "with instructions to inquire," etc. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

A motion to adjourn may not be amended. (1487) *Jefferson's Manual, Section L, p. 215.*

The motion to commit under section 1 of Rule XVII is amendable under the rules of the House, unless the previous question is ordered upon it. (1011-1013) *1-48, Journal, p. 1430; 1-49, Journal, pp. 378, 379, Record, pp. 694, 695; 3-53, Journal, pp. 28, 29, Record, p. 230.*

MOTIONS—Continued.

(*e*) ***Amendment of***—Continued.

It is in order to amend a motion to postpone. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

(*f*) ***Withdrawal of.***

A Member may withdraw or modify his motion at any time before there has been a decision upon it, such as the adoption of an amendment or the ordering of the previous question. (935, 936) *1-51, Journal, p. 1041, Record, p. 10105; 1-52, Journal, p. 144, Record, pp. 3299-3301.*

The motion that the Committee of the Whole rise may be withdrawn at any time before the decision thereon is announced. (930) *1-31, Globe, p. 318.*

A motion which the House has decided not to lay on the table may not be withdrawn, since the House has indicated a purpose to proceed with it. (931) *2-46, Journal, p. 842, Record, pp. 1807, 1808.*

A motion on which the yeas and nays have been ordered may not be withdrawn. (934) *2-53, Journal, pp. 323, 324, Record, pp. 3630 3683.*

The ordering of the yeas and nays upon a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent, under the rule, the withdrawal of the appeal. (933) *1-51, Journal, pp. 770-772, Record, p. 6353.*

The previous question having been ordered on a motion and then reconsidered, both the motion for the previous question and the original motion may be withdrawn. (937) *2-53, Journal, p. 345, Record, p. 3911.*

The motion to reconsider may be made on the same or succeeding day, and after the said succeeding day may not be withdrawn, and thereafter any Member may call it up; but in the last six days of a session the motion must be disposed of when made. (1190) *Rule XVIII, section 1.*

A motion to suspend the rules may be withdrawn at any time before a second is ordered. (1596) *1-53, Journal, pp. 174, 175, Record, p. 3127.*

A motion to amend may not be withdrawn after the previous question is ordered. (932) *1-51, Journal, p. 550, Record, pp. 4026, 4061.*

A motion having been presented, and a point of order in relation to it having been decided, an appeal was taken and the previous question was ordered on the appeal. Thereupon the original motion was withdrawn, and all the proceedings incident to it fell. (928) *1-26, Journal, p. 57, Globe, pp. 51, 52.* An earlier ruling held that an appeal did not fall in such a case; but this does not conform to present usage. *1-23, Journal, p. 631; 3-55, Record, pp. 270, 271.*

MOTIONS—Continued.

(*f*) ***Withdrawal of***—Continued.

A Member, having presented a joint resolution on his own motion, was permitted to withdraw it, although the House was dividing on a demand for the previous question. (929) *2-29, Journal, p. 241, Globe, p. 272.*

(*g*) ***Laying on the table.***

It is not in order, according to the later practice, to lay on the table a motion to suspend the rules. (1581, 1582) *1-29, Journal, p. 363, Globe, p. 343; 2-35, Journal, p. 510, Globe, pp. 1418, 1419.*

A motion relating to the order of business may not be laid upon the table. (956) *1-45, Journal, p. 1221, Record, pp. 4094-4098.*

It is in order to lay on the table a motion to discharge a committee. *1-57, Record, p. 6811, Journal, p. 805.*

Although a proposition may be privileged for consideration under the rules, yet a motion to lay it on the table is in order, such action being one form of consideration. *1-57, Record, p. 6389, 6390, Journal, p. 780.*

The motion to lay on the table is not in order in Committee of the Whole. *1-57, Record, p. 2588.*

A committee report that a resolution lie on the table does not preclude debate until the Member in charge of the report makes the motion. *2-58, Record, pp. 1259, 1260.*

A bill being laid on the table, it was held that a motion to print and all other motions connected therewith went with the bill. (948) *2-32, Journal, p. 195, Globe, p. 426.*

A motion relating to the order of business may not be laid on the table. *2-56, Record, pp. 1198, 1199.*

The question as to whether or not an affirmative vote on the motion to lay on the table may be reconsidered. (1231, footnote) *1-33, Journal, pp. 735, 762; 2-54, Record, p. 1947; 2-55, Record, p. 2448; 1-35, Journal, pp. 1118, 1136, Globe, pp. 3026, 3030, 3045.*

(*h*) ***Relative to the previous question.***

The previous question may be asked on a single motion or on a series of motions. (959) *Rule XVII, section 1.*

The previous question may be moved on both the motion to refer and on the pending resolution. *2-58, Record, p. 103.*

The word "proposition" in the rule providing for forty minutes of debate after the previous question is ordered means the main question, and does not mean incidental motions. (982) *1-54, Journal, p. 535, Record, p. 1342; 2-58, Record, p. 476.*

MOTIONS—Continued.

Relative to the previous question—Continued.

Under the earlier practice of the House the motion to lay on the table was admitted after the previous question had been ordered, but later decisions have reversed the practice. (949–952) *1–28, Journal, p. 130, Globe, p. 332; 1–30, Journal, p. 175, Globe, p. 93; 2–45, Journal, p. 1090, Record, pp. 3438, 3521–3523; 2–53, Journal, pp. 139, 140, Record, p. 1969.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. *3–58, Record, pp. 3883, 3884.*

The previous question being demanded on a resolution, and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. *2–56, Record, p. 555.*

After the previous question is ordered the motion to postpone is not in order. *3–55, Record, p. 1661; 1–56, Record, p. 6250.*

A motion to amend having been made and the previous question having been moved and seconded, the amendment may not be modified, corrected, or changed except by unanimous consent. (926) *1–28, Journal, p. 811, Globe, p. 530.*

The form of putting the previous question. (1045, footnote.)

A Member opposed to a bill, having the floor, may make a motion for the previous question, although the effect of the motion may be to deprive the Member in charge of his control of the bill. *1–56, Record, p. 4864.*

The motion to reconsider, and the motion to lay that motion on the table, are admitted while the previous question is operating. *1–56, Record, p. 2795.*

The motion to commit after the engrossment and third reading, and its relation to the terms of special orders. (1277–1279) *2–50, Record, pp. 1062, 1401; 3–53, Journal, p. 102; 1–55, Record, pp. 71, 556.*

The motion to refer under Rule XVII may be made pending the demand for the previous question whether a bill or resolution be under consideration. *2–58, Record, pp. 448, 474, 475.*

The motion to commit provided for in section 1 of Rule XVII may be applied to a motion to amend the Journal. (1001) *2–46, Record, pp. 1814, 1815.*

The motion to commit under section 1 of Rule XVII may not be subjected to a motion to lay on the table. *1–56, Record, p. 3061; 2–58, Record, p. 4075.*

In order to prevent amendments the previous question is sometimes ordered on undebatable motions. *2–56, Record, p. 411.*

MOTIONS—Continued.

(*i*) ***Question of consideration.***

The question of consideration may not be raised on a motion relating to the order of business. (832–835) *1–51, Journal, pp. 103, 968, Record, pp. 433, 8814; 2–52, Journal, p. 56, Record, p. 822; 2–53, Journal, p. 145, Record, p. 2009;* such as the motion to discharge a committee. *3–58, Record, p. 4021.*

A motion to go into Committee of the Whole to consider a bill having been made, it was held that the only way for the House to express its wish as to consideration of the bill was by its vote on the motion to go into Committee of the Whole. (835) *2–53, Journal, p. 145, Record, p. 2009.*

(*j*) ***Not privileged.***

A resolution rescinding a special order was held, upon being submitted to the House, not to be in order as a privileged motion. (927) *1–48, Journal, p. 1051.*

An entry in a Journal of a preceding Congress has been rescinded by order of the House. (927, footnote) *2–43, Journal, p. 618, Record, p. 2084; 1–44, Record, p. 2887.*

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday against private business. (1426) *1–51, Journal, pp. 849, 850, Record, p. 7160.*

The motion for a recess is not privileged against the regular order of business. (1480) *1–51, Journal, p. 957, Record, p. 8629.*

The motion for a recess is not in order when a question is before the House. (1481) *2–51, Journal, p. 346.*

(*k*) ***Certain ones not in order.***

No motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, is allowed again on the same day at the same stage of the proceedings. (424) *Rule XVI, section 4.*

The previous question having been ordered on the engrossment and third reading of a resolution, it was held that a motion to postpone was not in order until the previous question had been exhausted. (965) *1–49, Record, p. 7393.*

It is not in order to move that debate on a bill in the House be closed at a certain time. (967, 968) *1–47, Journal, p. 564, Record, pp. 1096, 1097; 1–54, Record, p. 5200.*

A question of consideration being pending, a motion to refer is not in order. *2–56, Record, p. 3093.*

It is not in order to move to reconsider a vote whereby the House has refused to adjourn. (1197, 1198) *2–45, Journal, p. 139, Record, p. 243; 1–50, Record, p. 2706.*

MOTIONS—Continued.

(*k*) ***Certain ones not in order***—Continued.

It is not in order to move to reconsider the vote whereby the House refuses to take a recess. (1199) *2–52, Journal, p. 58, Record, p. 836.*

A vote on the reconsideration of a vetoed bill may not be reconsidered. (1200) *1–28, Journal, pp. 1093, 1097, Globe, pp. 665–675.*

A motion to reconsider a vote upon a motion to suspend the rules is not in order. (1201) *2–31, Journal, p. 134, Globe, pp. 182, 225.*

It is not in order to move to reconsider the vote whereby an appeal from a decision of the Chair is laid on the table. (1231, footnote) *1–33, Journal, pp. 735, 762.*

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. (1231, 1232) *3–27, Journal, pp. 310, 328, 334, Globe, p. 256; 1–33, Journal, p. 357, Globe, p. 397.*

The motion to reconsider is not in order in Committee of the Whole. *2–56, Record, p. 2171; 1–57, Record, p. 4594.*

The motion to agree is the pending question on a conference report, and the motion to disagree is not admitted. *3–58, Record, pp. 1597, 1598.*

Where a special order prohibited "intervening motions" between the vote on an amendment and the final vote, it was held that the motion to reconsider was not in order. (1283) *2–53, Journal, pp. 304, 305, Record, pp. 3421, 3422.*

A motion to adjourn may not be made while a Member is speaking. (1487, 1489) *Jefferson's Manual, Section XX, p. 162; 2–51, Journal, pp. 14, 15, Record, p. 35.*

A motion relating to the order of business may not be made while a Member is speaking. (1487) *Jefferson's Manual, Section XX, p. 162.*

The motion to go into Committee of the Whole House on the state of the Union to consider general appropriation bills was held under former conditions of rule not in order on District of Columbia day. (1443) *2–52, Journal, p. 89, Record, p. 1534.*

The motions to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. (744) *Jefferson's Manual, Section XII, p. 148.*

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. (1282) *1–55, Record, p. 352.*

(*l*) ***In relation to debate.***

It is not in order to debate the merits of the main question on the motion to refer. (1042) *2–52, Journal, p. 101, Record, p. 1956; 2–57, Record, p. 20; 2–58, Record, p. 97.*

MOTIONS—Continued.

(*l*) ***In relation to debate***—Continued.

A motion to reconsider is not debatable if the question proposed to be reconsidered was not debatable. (1211–1213) *2–27, Journal, p. 331, Globe, p. 218; 2–30, Journal, p. 135, Globe, p. 84; 2–45, Journal, p. 592, Record, pp. 1486, 1487.*

A motion to discharge a committee from the consideration of a matter, when in order, is not debatable. *1–56, Record, p. 6445.*

A motion relating to the order of business is not debatable. *1–56, Record, p. 1225; 2–56, Record, p. 2476.*

On a motion to postpone to a day certain the merits of the bill may not be debated. *2–58, Record, p. 3047.*

A motion that the Committee of the Whole rise is not debatable. *2–56, Record, p. 2492.*

Reading of a bill for amendments being concluded in Committee of the Whole, motions ordering it to be reported are not debatable. *1–51, Record, pp. 7089, 7091.*

The right of the "mover, proposer, or introducer of the matter pending" to speak in reply does not apply to a Member who has moved to reconsider the vote on a bill which he did not report. (865) *1–44, Record, pp. 382, 390.*

A Member may not, by offering a motion of higher privilege than the pending motion, deprive the member of the committee in charge of the bill of the floor. *2–57, Record, p. 2659.*

(*m*) ***In general.***

The motion to adjourn is in order only in its simple form. (1494) *2–55, Record, p. 2024.*

There must be some intervening business before the motion to adjourn may be repeated. (1496) *1–31, Journal, p. 1092.*

Motions to suspend the rules must be seconded by a majority by tellers. (1557) *Rule XXVIII, section 2.*

The motions to refer, commit, and recommit are in effect one motion and in general are governed by the same rules. (1010) *1–47, Journal, p. 1724, Record, p. 6475.*

A motion which in effect rescinded a rule of the House, having been offered without objection and agreed to by the House, was held to be in force as against the rule. *3–55, Record, pp. 1691, 1712.*

A motion to suspend the rules may not be postponed indefinitely. (1583) *1–26, Globe, p. 121.*

A motion to recede being decided in the negative, the House does not thereby vote to insist. *2–57, Record, pp. 2351, 2659, 2660.*

NAME.

A Member may not in debate refer to another Member by name. (877) *2-55, Record, p. 2433.*

NAMING A MEMBER.

The Speaker may name any Member persisting in disorderly conduct. (1626) *Jefferson's Manual, Section XVII, p. 156.*

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

An amendment appointing managers of the National Home for Disabled Volunteer Soldiers was held to be in order on the sundry civil appropriation bill. (1059–1784) *1-51, Record, p. 6144; Revised Statutes, section 4826.*

NATURALIZATION.

Subjects relating to, belong to the jurisdiction of the Committee on Immigration and Naturalization. (648) *Rule XI, section 40.*

NAVAL ACADEMY.

Visitors to be appointed by the Speaker. (48) *Revised Statutes, section 1327; Supplement Revised Statutes, vol. 1, p. 217.*

The Military and Naval academies. (1786) *20 Stat. L., p. 290; Revised Statutes, sections 1315–1319, 1327; 28 Stat. L., pp. 136, 137.*

Appointment of cadets at. See "Members."

NAVAL AFFAIRS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (622) *Rule X, Rule XI, section 13.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

Respective jurisdictions of committees on appropriations and naval affairs over appropriations for ocean and lake surveys. *1-56, Record, pp. 4391, 4427, 4443, 5135–5167, 6849, 6856, 6879–6885.*

Contingent expenses in the Bureaus of the Navy Department are appropriated for in the legislative and not the naval bill. *1-57, Record, pp. 5606, 5607.*

Stationery, books of reference, etc., for the Navy Department are provided in the legislative bill, under jurisdiction of the Committee on Appropriations. *1-56, Record, p. 4389.*

NAVY.

Repairs and construction of vessels and increases of enlisted men ruled to be continuation of public work. (486–488) *2-48, Record, pp. 1913, 1914; 2-49, Record, pp. 2336, 2337; 3-53, Record, p. 2406.*

NEWSPAPERS.

A newspaper having attributed to a Member certain remarks which he denied having used, it was decided that no question of privilege was involved. (188) *2–53, Journal, p. 480.*

A newspaper publication stating that a certain Member will unite with others in opposition to a matter coming up in the House at a future time does not present a question of personal privilege. (190) *1–55, Record, p. 747.*

A newspaper article, vaguely charging Members of Congress generally with corruption, may not be brought before the House as involving a question of privilege. (184) *1–51, Journal, p. 908, Record, p. 7976; 1–57, Record, p. 4585.*

A newspaper article, in the nature of criticism of a Member's acts in the House, does not present a question of personal privilege. *2–58, Record, p. 1469; 1–59, Record, pp. 6199, 6200.*

A newspaper article charging Members of the House generally with abuse of the franking privilege was held to involve a question of privilege. *1–59, Record, pp. 692, 693.*

A declaration in a newspaper interview by one Member that another Member had broken a party agreement was held to involve no question of personal privilege. *1–59, Record, pp. 305–306.*

The rule relating to the accommodation of newspaper reporters and correspondents on the floor and in the press gallery. (1742) *Rule XXXVI, section 2.*

Members not entitled to allowance for. (11) *Revised Statutes, section 43.*

Copies of the Congressional Record are furnished to newspaper correspondents. *31 Stat. L., p. 713.*

NOTIFICATION OF PRESIDENT.

Forms of resolutions adopted for final adjournment and notification of the President. (1531, 1532) *2–54, Record, pp. 2981, 2986; 1–55, Record, p. 2973; 2–55, Record, p. 6801.*

NUMBERING.

Each section of a bill shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment. (455) *Revised Statutes, section 10.*

The amendment of the numbering of the sections of a bill is done by the clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190.*

OATH.

(*a*) *Form, administration, etc.*
(*b*) *Member challenged.*
(*c*) *General provisions.*

(*a*) *Form, administration, etc.*

Form of oath taken by Members and Delegates. (14.)

I, A. B., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God. (Revised Statutes, section 1757.)

How administered at the opening of Congress. (2.)

The oath may be administered to a Member away from the House by the Speaker. (16) *1-51, Journal, pp. 89, 103, Record, pp. 399, 432.*

The oath may be administered to a Member away from the House and by another than the Speaker. (15) *2-49, Record, p. 1157, Report H. of R. No. 3745.*

By unanimous consent the oath of office may be administered to Members whose regular certificates have not arrived. (17, 18, 19) *2-51, Journal, p. 5, Record, p. 11; 1-54, Record, p. 4846; 2-54, Record, p. 301; 1-57, Journal, p. 223, Record, p. 692; 2-58, Record, pp. 15, 16; 2-59, Record, p. 13.*

Credentials being defective, but no doubt existing as to the election, the oath was administered to the Member-elect by unanimous consent. *3-58, Record, pp. 3, 4.*

There being a question as to a Member's election, he was sworn in and his credentials were referred to a committee with instructions. *2-57, Journal, p. 6, Record, p. 4.*

The oath of office is sometimes administered to a Member at an informal rising of the Committee of the Whole. (763) *1-55, Record, p. 547.*

Members have been sworn in by unanimous consent when a roll call had just disclosed the absence of a quorum. (20) *1-55, Record, p. 428.*

Instance at the beginning of a second session wherein the oath was administered to a Member-elect before the ascertainment of a quorum. *2-58, Record, pp. 15, 16.*

The oath may not be administered to a Member-elect, even upon presentation of proper certificate, when the House is considering the question of his right to the seat. (22) *1-48, Journal, pp. 587, 588, Record, p. 1168.*

OATH—Continued.

(*a*) ***Form, administration, etc.***—Continued.

A Member may be appointed on a committee before taking. (15) *2-49, Record, p. 1157, Report H. of R. No. 3745; 1-57, Journal, p. 298, Record, p. 1249; 2-57, Journal, pp. 24, 75, Record, p. 501; 1-59, Record, pp. 40, 297, 546, 591.*

A Member-elect who had been appointed of a committee before taking the oath, not having appeared, the Speaker, with the consent of the House, appointed another member to the vacancy. *2-59, Record, p. 635.*

A Member-elect may be named on a committee, but may not vote until he has taken the oath. (602) *Jefferson's Manual, Section III, p. 135.*

The names of Members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the journal. *1-59, Record, p. 5485.*

A Member is entitled to receive his salary after taking the oath. *Revised Statutes, section 39.*

The Delegates from the Territories take the same oath as Members. (36) *Revised Statutes, sections 1862, 1863.*

A Speaker *pro tempore* is not sworn. (55) *1-30, Journal, p. 923, Globe, p. 855.*

(*b*) ***Member challenged.***

Members-elect challenged at the organization of the House for alleged defects in their credentials or election have generally been allowed to take the oath pending the examination of their cases. *1-37, Journal, pp. 12, 13, Globe, pp. 6, 7, 10, 13; 1-41, Globe, pp. 7, 10; 1-42, Globe, pp. 6, 7-10; 1-44, Record, pp. 167, 171, 172; 1-45, Record, pp. 54, 60, 69, 73, 88, 92, 93; 1-46, Record, pp. 6, 27; 1-47, Record, pp. 9, 11, 13, 14, 15; 1-53, Record, pp. 201, 202, 226-238.*

In a few instances Members-elect challenged because of alleged defects in their credentials have not been allowed to take the oath. *1-38, Journal, pp. 6, 7, 9, 12, Globe, p. 7; 1-38, Journal, p. 13, Globe, p. 8; 1-47, Record, p. 14.*

The Members-elect having denied to a delegation the right of participating in the organization of the House, the Speaker declined to administer to them the oath, although they presented the certificate of the governor of their State. *1-26, Journal, pp. 80, 87, 95, Globe, pp. 1, 30, 48, 56, 65, 95.*

A person who, having taken the oath, afterwards engages in insurrection or rebellion is disqualified as a Member; but the disability may be removed by a two-thirds vote. *Constitution, Article XIV, section 3, p. 45.*

OATH—Continued.

(*b*) ***Member challenged***—Continued.

Members-elect challenged at the organization of the House for alleged disqualifications have in several cases been sworn in, the question of their qualifications sometimes being referred to a committee for examination. *1-37, Journal, p. 12, Globe, pp. 6, 7, 13; 1-41, Journal, pp. 4, 5, 10, Globe, pp. 6, 10, 13; 1-42, Globe, pp. 7, 11; 1-43, Record, pp. 7, 8; 1-48, Record, p. 6.*

A Member-elect being challenged for alleged disqualification during the swearing in of the Members-elect at the time of organization, the Speaker requested him to stand aside, and the House, after debate, voted to refer to a committee the question of the *prima facie* and final right to the seat. *1-56, Record, pp. 5, 38-53, Journal, pp. 6, 34.*

The House excluded Brigham H. Roberts for disqualification. *1-56, Record, pp. 5, 38-53, 1072-1104, 1123-1149, 1175-1217, Journal, pp. 6, 34, 187, 192, 196-198, Report H. of R. No. 85.*

Members-elect presenting themselves to be sworn after the organization of the House have been denied the oath on the ground of alleged disqualifications. *1-40, Globe, pp. 468, 469, vol. 64, pp. 502, 503, 514, 699, 700, 774, 777, vol. 65, pp. 894, 909, vol. 69, Appendix, p. 145; 2-40, Journal, pp. 13, 31, 153, 167, 220, 342, 350, 562, 912, Globe, pp. 2072, 3331, 3337, 3340, 3368-3375.*

It has been held, although not uniformly, that in cases where the right of a Member-elect to take the oath is challenged the Speaker may direct the Member to stand aside temporarily. *1-41, Journal, p. 7, Globe, pp. 6, 13; 1-41, Journal, p. 7, Globe, p. 6; 1-47, Record, pp. 9-13.*

When Members-elect are challenged at the time of taking the oath, motions and debate are in order on the questions involved in the challenge, and in a few cases other business has intervened by unanimous consent. *1-37, Journal, p. 12, Globe, p. 5; 1-41, Journal, p. 7, Globe, p. 6; 1-45, Journal, p. 20, Record, p. 69; 1-46, Record, pp. 6, 27.*

The credentials of a Member-elect indicating that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced. *2-56, Journal, pp. 5, 20, Record, pp. 15, 46.*

When, at the organization of the House, several Members-elect are challenged and stand aside, the question is first taken on the Member-elect first required to stand aside. *1-45, Journal, p. 15, Record, p. 60; 1-44, Record, pp. 167-171.*

It has been held that there is no roll of Delegates which the Speaker is obliged to recognize at the time of swearing in Members-elect at the organization of the House. *1-47, Record, pp. 14, 23, 38.*

OATH—Continued.

(*c*) ***General provisions.***

The rule providing for the selection and swearing in of the elective officers of the House. (1704) *Rule II.*

The elective officers of the House are sworn to the faithful discharge of their duties, to support the Constitution, and keep the secrets of the House. (1704) *Rule II.*

Oaths to witnesses may be administered by Speaker, chairman of Committee of the Whole, chairmen of select or standing committees, or by Members. (724, footnote, 1709) *Revised Statutes, section 101; 23 Stat. L., p. 60.*

Clerks to Members not required to take the oath prescribed by section 1756, Revised Statutes. (24) *Decisions of First Comptroller (1893–94) (Bowler), pp. 43, 44.*

OBJECTION.

The Member should rise in objecting to a request for unanimous consent. *1–57, Record, p. 4641.*

The withdrawal of an objection to the consideration of a bill does not bring it again before the House if other business has been taken up. (445) *2–55, Record, pp. 5159, 5161.*

A demand for the regular order is equivalent to an objection to a request for unanimous consent. (446) *1–52, Journal, p. 351, Record, p. 7028.*

A Delegate may not object to the consideration of a measure. (39) *1–39, Globe, p. 3007; 2–56, Record, pp. 3463, 3464.*

OBSCENE.

The Speaker may withhold such private bills, petitions, and memorials as in his judgment are of an obscene or insulting character. (448) *Rule XXII, section 1.*

OFFICES.

Member debarred from holding other office under the Government. (7) *Constitution, Article I, section 6, p. 6.*

A Member having assumed the duties of a State office, it was recommended that his name be stricken from the roll of the House. (13) *2–48, House Report, No. 2679.*

Decisions concerning Members and Members-elect who have occupied or been about to occupy other offices under the Government. (12) *1–38, House Report, No. 110, Globe, p. 3389; 3–55, Report, H. of R., No. 2205, Record, p. 2751.*

Members of commissions appointed under authority of act of Congress, visitors to the Naval and Military academies, regents, directors, etc., of public institutions are not officers under the United States within the meaning of the Constitution. *3–55, Report, H. of R., No. 2205.*

OFFICES—Continued.

The clerk to the Committee on the Post-Office and Post-Roads, being appointed a postmaster, was decided to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. (722) *Decisions First Comptroller (Bowler) 1893–94, p. 61.*

OFFICERS OF THE HOUSE.

The Constitution provides that the House shall choose their Speaker and other officers. (40) *Constitution, Article I, section 2, p. 4.*

The rule providing for the selection and swearing in of the elective officers of the House. (1704) *Rule II.*

The elective officers of the House continue until their successors take office, are sworn to the faithful discharge of their duties, to support the Constitution and keep the secrets of the House, and appoint the employees in their departments. (1704) *Rule II.*

The vacancy caused by the death of the Doorkeeper was after several days filled by the House by election. *1–57, Record, pp. 2706, 2964, Journal, p. 489.*

On the announcement of the death of the Doorkeeper the House took appropriate action. *1–57, Journal, 458, Record, p. 2706.*

Arrest of one of its officers a high breach of privilege of the House. (43, footnote) *2–6, Annals, pp. 887–890.*

No change, however unimportant, should be made by an officer of the House in a bill that has received the sanction of the House. (131, footnote) *1–33, Globe, p. 2094.*

It is in effect an amendment of the rules to impose other duties upon an officer of the House than those already prescribed. (1534) *1–31, Journal, p. 456, Globe, p. 277.*

Questions of privilege involved in alleged misconduct of an officer or employee of the House. (132) *1–44, Journal, pp. 868, 948, Record, p. 2771.*

An officer of the House is defended by the Attorney-General's Department for any act done in the discharge of his official duty. (1709) *18 Stat. L., p. 401.*

Certain provisions of the statutes relating to officers and Members. (1709) *Revised Statutes, section 101; 18 Stat. L., p. 401; 23 Stat. L., p. 60; 28 Stat. L., p. 771.*

No officer or employee of the House shall be an agent for the prosecution of a claim against the Government. (1703) *Rule XLIII.*

No more than one person may be appointed to one position under the authority of the House, and an employee may not divide his salary with another. *31 Stat. L., p. 968.*

OFFICERS OF THE HOUSE—Continued.

The Committee on Accounts are required to investigate (with power to send for persons and papers and administer oaths) the management of the employees by the officers of the House, and report to the House once every session their compliance with this duty. *31 Stat. L., p. 968.*

It is the duty of the Committee on Accounts to inquire into and report violations of the rule forbidding officers or employees to be claim agents. (1703) *Rule XLIII.*

The publication by the Public Printer of an article alleged to be for the purpose of exciting unlawful violence among Members has been considered a matter of privilege. (121) *1-33, Journal, p. 965, Globe, p. 1361.*

Neither House may exercise any authority over a Member or officer of the other. (907) *Jefferson's Manual, Section XVII, p. 158.*

The Clerk pays the officers and employees monthly. (1712) *Rule III, section 3.*

Public documents may not be delivered to officers or employees excep under certain conditions. (1748) *28 Stat. L., p. 624.*

OFFICERS OF THE UNITED STATES.

The President, Vice-President, and all civil officers of the United States may be removed on impeachment for treason, bribery, or other high crimes or misdemeanors. (1595) *Constitution, Article II, section 4, p. 23.*

A proposition to impeach a civil officer of the United States is privileged. (144-148) *3-27, Journal, p. 159, Globe, p. 145; 2-39, Journal, p. 121, Globe, p. 320; 2-48, Journal, pp. 27, 28, Record, pp. 17-19; 1-54, Journal, p. 37, Record, p. 115; 1-48, Journal, p. 495, Record, p. 871.*

No Member on the floor having preferred articles of impeachment against a civil officer, a resolution to investigate is not privileged. (148) *1-48, Journal, p. 495, Record, p. 871.*

The Member is an officer of the Government. *1-56, Report H. of R. No. 85, pp. 36-39.*

OFFICIAL REGISTER.

Each Member of Congress is entitled to two copies of the Official Register. (1763.)

OFFICIAL REPORTERS.

The appointment, removal, and supervision of the official reporters are vested in the Speaker. (1678) *Rule XXXVI, section 1.*

OMNIBUS BILLS.

A committee having reported a public bill grouping together the authorization of several distinct works, all within the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. (697) *1-52, Record, pp. 6168, 6173.*

A bill grouping together several distinct objects or works is sometimes reported instead of a series of individual bills. *1-57, Record, pp. 4820-4841, Journal, p. 659.*

ORDER.

(*a*) *On the floor and in galleries.*
(*b*) *In debate.*
(*c*) *Disorder.*
(*d*) *Questions of order.* See "Points of order."

(*a*) ***On the floor and in galleries.***

The Speaker preserves order on the floor and in galleries and lobby. (42) *Rule I, section 2.*

Rigid enforcement of the rule relating to disturbance in the galleries. (43) *2-6, Annals, pp. 851, 887.*

The Sergeant-at-Arms, under the direction of the Speaker or Chairman, maintains order in the House and Committee of the Whole. (1715) *Rule IV, section 1.*

The mace is the symbol of the Sergeant-at-Arms and is borne by him while enforcing order. (1716) *Rule IV, section 2.*

The President of the Senate preserves order during the counting of the electoral vote. (1766) *24 Stat. L., p. 374.*

(*b*) ***In debate.***

If any Member in speaking or otherwise transgress the rules of the House, it is the duty of the Speaker and the privilege of any Member to call him to order, in which case he shall sit down, and the offense may be a subject of decision by the House. (871) *Rule XIV, section 4.*

A Member may not in debate refer to another Member by name. (877) *2-55, Record, p. 2433.*

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally, are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155; 2-58, Record, pp. 5279, 5280.*

The assertion that a statement made by another Member was not true was held to be parliamentary. *1-59, Record, p. 5015.*

ORDER—Continued.

(*b*) *In debate*—Continued.

It is a breach of order to refer in debate to proceedings in the other House, and it is particularly the duty of the Speaker to prevent such expressions. (907) *Jefferson's Manual, Section XVII, p. 157.*

References in the nature of criticisms of the other body or comments upon it have been repressed with strictness. (908–912) *1–46, Record, p. 1681; 1–48, Record, p. 3976; 1–51, Record, p. 10381; 1–54, Journal, pp. 451, 452, Record, pp. 4801, 4802; 1–55, Record, p. 1393.*

It is not in order in debate to refer to a Senator in terms of criticism personally. (1639) *1–52, Journal, p. 87, Record, p. 1703; 1–59, Record, p. 1502.*

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. (141) *1–51, Journal, pp. 1041, 1044, Record, pp. 10068, 10101.*

A Member called to order in debate must take his seat, although he may be permitted by the House to proceed in order or explain. (1636–1639) *2–51, Journal, p. 174, Record, p. 1788; 2–55, Record, p. 3814; 2–53, Journal, p. 137, Record, pp. 1879, 1880; 1–52, Journal, p. 87, Record, p. 1703.*

Words spoken by a Member after he has been called to order may be excluded from the Record by direction of the Speaker. (1680–1681–1682) *1–38, Globe, p. 3390; 1–44, Record, p. 5697; 1–54, Record, p. 5802.*

When a Member is called to order for words spoken in debate, the words are to be taken down at once before further debate or business has intervened. (899) *Rule XIV, section 5.*

The demand that disorderly words be taken down must be made at once before debate intervenes. (901) *1–51, Journal, p. 994, Record, p. 9234.*

Disorderly words not having been taken down when uttered, it was held not in order to recur to them for the purpose of administering censure. (900) *2–37, Journal, p. 610.*

The words of a Member having been taken down and the Speaker having decided that they were not in order, it was held that a motion that the Member be permitted to explain had precedence of a motion that he be permitted to proceed in order. (902) *2–53, Journal, p. 132, Record, p. 1811.*

When a Member who is persisting in his violation of the rule is called to order it is the practice to test the opinion of the House by a motion "that the gentleman be allowed to proceed in order." (880–882) *2–51, Journal, p. 174, Record, pp. 1787, 1788; 1–55, Record, pp. 1067, 1068; 2–55, Record, pp. 1632–1635.*

ORDER—Continued.

(*b*) ***In debate***—Continued.

The Speaker having decided that words spoken are out of order, the Member may be permitted to explain, and then it is in order to move that he be allowed to proceed. (903, 904) *2-53, Journal, p. 204, Record, 2450; 1-52, Journal, p. 343.*

If a paper read by a Member or by the Clerk contain matter not in order, a point of order may be made as if the words were spoken in debate. (1634) *1-49, Journal, p. 2547.*

(*c*) ***Disorder.***

The Speaker may name any Member persisting in disorderly conduct. (1626) *Jefferson's Manual, Section XVII, p. 156; 2-58, Record, p. 3587.*

A question of privilege, arising from a quarrel or other cause, must be at once disposed of. (93) *Jefferson's Manual, Section XXXIII, p. 184.*

The parliamentary law relating to disorder in Committee of the Whole. (1627) *Jefferson's Manual, Section XII, p. 148.*

Disorder arising in Committee of the Whole, the Speaker may take the chair and restore order without formal rising of the committee. *Jefferson's Manual, Section XII, p. 148.*

In cases of disorder in Committee of the Whole the Speaker has taken the chair "without an order to bring the House into order." (1628-1631) *2-25, Journal, p. 1013, Globe, p. 422; 1-26, Journal, p. 814, Globe, pp. 343, 394-396, 398; 1-28, Journal, p. 846, Globe, pp. 552, 577, 604; 3-46, Journal, p. 114, Record, p. 311.*

A Member having defied or disregarded the authority of the Chairman of the Committee of the Whole, the committee has risen and reported to the House. (1632, 1633) *1-24, Journal, pp. 1209, 1225, Globe, p. 484; 1-55, Journal, p. 52, Record, pp. 433, 434.*

The Committee of the Whole having risen and reported disorderly language used by a Member, a resolution of censure was held to be in order without a prior decision by the Speaker that the remarks were in fact against order. (1635) *1-51, Journal, pp. 623-625, Record, pp. 4861, 4862, 4868, 4876.*

Disorderly words spoken in Committee of the Whole are written down, but the committee can only report them to the House. (1627) *Jefferson's Manual, Section XVII, p. 157.*

A Committee of the Whole may not punish a breach of order on the floor or in the gallery, but must rise and report to the House. (1627) *Jefferson's Manual, Section XXX, p. 172.*

ORDER, POINTS OF.

See "Points of order."

ORDERS.

Distinction between orders and resolutions. (454) *Jefferson's Manual, Section XXI, p. 163.*

Bills, resolutions, orders, and votes passed by the two Houses in concurrence are required by the Constitution to be presented to the President for approval. (452) *Constitution, Article I, section 7, p. 7.*

The Constitution provides that orders, resolutions, and votes passed in concurrence by the two Houses and disapproved by the President shall be repassed by a two-thirds vote. (452) *Constitution, Article I, section 7, p. 7.*

ORDER OF BUSINESS.

(*a*) *The regular order.*
(*b*) *Speaker's table.*
(*c*) *Unfinished business.*
(*d*) *The morning hour or call of committees.* See "Call of committees."
(*e*) *Going into Committee of the Whole at end of morning hour.*
(*f*) *Priority of business.*
(*g*) *Precedence of revenue and appropriation bills.*
(*h*) *Bills in Committee of the Whole.*
(*i*) *General provisions.*
(*j*) *Privileged reports of committees.* See "Reports."
(*k*) *Bills with previous question ordered.* See "Previous question."
(*l*) *Special orders.* See "Special orders."
(*m*) *Private business.* See "Private bills."
(*n*) *Reconsideration.* See "Reconsider."

(*a*) ***The regular order.***

The rule prescribing the regular order of business. (344) *Rule XXIV, section 1.*

An instance wherein the House came to the end of its order of business. *2-58, Record, pp. 900, 924, 940.*

A demand for the regular order is equivalent to an objection to a request for unanimous consent. (446) *1-52, Journal, p. 351, Record, p. 7028.*

The question of consideration may not be raised on a motion relating to the order of business. (832-835) *1-51, Journal, pp. 103, 968, Record, pp. 433, 8814; 2-52, Journal, p. 56, Record, p. 822; 2-53, Journal, p. 145, Record, p. 2009.*

A motion relating to the order of business may not be laid upon the table. (956) *1-45, Journal, p. 1221, Record, pp. 4094-4098; 2-56, Record, pp. 1198, 1199.*

Before rules were adopted it was held in order to demand the previous question on a resolution relating to the order of business. (964) *1-53, Journal, p. 23, Record, p. 1027.*

ORDER OF BUSINESS—Continued.

(*a*) ***The regular order***—Continued.

A roll call may not be interrupted because of the arrival of the time fixed by the rules for another order of business. (1173) *1-52, Journal, pp. 61, 62, Record, p. 976.*

The motion for a recess is not privileged against the regular order of business. (1480) *1-51, Journal, p. 957, Record, p. 8629.*

A motion relating to the order of business may not be made while a Member is speaking. (1487) *Jefferson's Manual, Section XX, p. 162.*

A motion relating to the order of business is not debatable. *1-56, Record, p. 1225; 2-56, Record, p. 2476; 1-59, Record, p. 2608.*

(*b*) ***Speaker's table.***

The rule governing the disposition of business on the Speaker's table. (347) *Rule XXIV, section 2.*

Messages of the President are usually referred by the Speaker under the rule, but the House sometimes makes the reference. (349) *Rule XXIV, section 1.*

The reading of a message from the President having been prevented in the closing hours of a session, it was read at the beginning of the next session. (350) *1-51, Record, p. 92; 2-53, Record, p. 15; 2-55, Record, p. 11.*

While a question of privilege is pending a message from the President may be received, but may not be acted on. (436-438) *2-25, Journal, p. 817, Globe, p. 334; 2-53, Journal, pp. 292, 293, 295, Record, pp. 3351, 3352; 2-53, Journal, pp. 292, 293, 295, Record, p. 3353.*

While a question of privilege is pending the reading of a message from the President is in order only by unanimous consent. (1453) *3-34, Journal, p. 48, Globe, p. 38.*

When a bill is returned to the House with the objections of the President, it is usual to have the message read at once. (1468-1470) *2-27, Journal, pp. 1032, 1051, Globe, pp. 695, 717; 1-29, Journal, pp. 1209, 1214, 1218, Globe, p. 1183; 1-34, Journal, pp. 1176, 1178, Globe, p. 1563.*

The three requisites for calling up a Senate bill directly from the Speaker's table are that it be not such as to require consideration in Committee of the Whole, that there be a similar bill on the House Calendar, and that it be called up by authority of a committee. (359) *2-54, Record, p. 847.*

If a Senate bill be such as to require consideration in Committee of the Whole, it may not be taken from the Speaker's table. (362-365) *1-51, Journal, pp. 729, 951, Record, pp. 5907, 8527; 2-51, Journal, p. 241, Record, p. 2623; 2-52, Journal, p. 52, Record, p. 717.*

ORDER OF BUSINESS—Continued.

(*b*) ***Speaker's table***—Continued.

Interpretation of the words "substantially the same" as used in reference to Senate bills on the Speaker's table. (360) *2-55, Record, p. 4805.*

A Senate amendment requiring consideration in Committee of the Whole is referred from the Speaker's table to a standing committee, and the request for a conference gives no privilege. (351) *2-50, Journal, p. 348, Record, pp. 1216-1220.*

A House bill with Senate amendment requiring consideration in Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rules. (352-354) *1-51, Journal, pp. 758, 767, 770-772, Record, pp. 6281, 6314, 6353, 6354-6364; 3-58, Record, p. 2206.*

A resolution directing the Speaker to lay before the House a House bill with Senate amendments requiring consideration in Committee of the Whole, which is on the Speaker's table, involves a change of the rules. (353) *1-51, Journal, p. 767, Record, pp. 6314, 6353.*

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. (355, 356) *1-51, Journal, p. 1018, Record, p. 9827; 2-51, Journal, p. 340, Record, p. 3689.*

A Senate bill, in order to be brought up directly from the Speaker's table, must have come to the House after and not before a House bill substantially the same has been placed on the House Calendar. (357) *2-55, Record, p. 6552.*

A Senate concurrent resolution substantially the same as a House bill on the House Calendar is in order under section 2 of Rule XXIV. (358) *1-51, Journal, p. 541, Record, p. 3977.*

(*c*) ***Unfinished business.***

The rule governing the disposal of unfinished business. (366) *Rule XXIV, section 3.*

A bill brought up in the morning hour and undisposed of, remains as unfinished business during call of committees only. *1-59, Record, pp. 3639, 3640.*

Unfinished business on a day assigned to a committee goes over to the next day had by the committee. (368) *1-44, Journal, p. 860, Record, p. 2737.*

The unfinished business of a Friday, whether of a day or evening session, is in order before the motion to go into Committee of the Whole House. (369-373) *1-51, Journal, p. 344, Record, p. 2237; 2-52, Journal, p. 33, Record, p. 381; 1-54, Journal, p. 365, Record, p. 3536; 2-55, Record, pp. 1982, 2737.*

ORDER OF BUSINESS—Continued.

(*c*) ***Unfinished business***—Continued.

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. (1444) *2-53, Journal, p. 425, Record, p. 6121; 1-59, Record, p. 7567.*

A motion to suspend the rules pending and undisposed of on one suspension day is first in order on the next, the individual motion going over to committee day, and *vice versa*. (1571-1573) *1-50, Journal, p. 1956, Record, p. 4474; 2-50, Journal, p. 321, Record, p. 1062; 1-54, Record, p. 6197.*

A bill on which a second fails to be ordered on a suspension day does not come over as unfinished business to the next suspension day. (1575, 1576) *2-52, Journal, p. 122, Record, p. 2353.*

A question of privilege pending at an adjournment does not come up on the succeeding day as unfinished business unless called up. (186) *1-53, Journal, p. 114.*

The rule relating to business before committees unfinished at the end of the session. (367) *Rule XXVII.*

A motion relating to the order of business does not recur as unfinished business on a succeeding day, even although the yeas and nays may have been ordered on it before adjournment. (374) *1-53, Journal, p. 88.*

It has been held that when the question of consideration is undisposed of at the adjournment it does not recur as unfinished business on the succeeding day. (820, 821) *2-53, Journal, p. 57, Record, p. 501; 2-53, Journal, pp. 66, 67, Record, pp. 508, 509.*

An appeal pending at an adjournment Friday, but not belonging to the class of business for which Friday is set apart, comes up on the succeeding day. (1672) *1-51, Journal, pp. 770-772, Record, p. 6353.*

A quorum failing on a division, the matter continues in the state in which it was before the division and must be resumed at that point at a future day. (240) *Jefferson's Manual, Section XLI, p. 201.*

A bill which, on a suspension day, was withdrawn with an agreement that it should be unfinished business on the next suspension day was held to continue as unfinished business, although not called up on the day named. *3-55, Record, pp. 1501, 1502.*

(*d*) ***The morning hour or call of committees.***

The rule of the morning hour for the consideration of bills called up by committees. (375) *Rule XXIV, section 4.*

The period of the morning hour and of business on the Speaker's table is deferred by the intervention of privileged questions, but is in order when such are disposed of. (376, 377) *2-48, Journal, p. 476, Record, p. 1295; 1-54, Record, p. 4761.*

ORDER OF BUSINESS—Continued.

(*d*) ***The morning hour or call of committees***—Continued.

The Speaker has declined to allow the call of committees to be interrupted by a privileged report. *2-57, Record, p. 420.*

A bill must be actually on the House Calendar, and properly there also, in order to be considered in the morning hour. (378-380) *1-54, Record, p. 83; 2-54, Record, pp. 903, 1686; 1-56, Record, p. 2455.*

At the end of sixty minutes the morning hour may be interrupted by a privileged report. (382) *1-51, Journal, p. 969, Record, p. 8819.*

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. *1-56, Record, p. 2454.*

The House having completed the order of business and not being ready to adjourn, the Speaker directed the call of committees to be resumed. *1-57, Record, pp. 1716, 1719.*

(*e*) ***Going into Committee of the Whole at end of morning hour.***

The rule for going into Committee of the Whole House on the state of the Union at the expiration of sixty minutes of the morning hour. (386) *Rule XXIV, section 5.*

When, by authority of a committee, a motion is made to go into Committee of the Whole to consider a particular bill (not a revenue or appropriation bill), an amendment designating another bill may be offered by a Member individually. (387) *2-51, Journal, p. 103, Record, p. 961.*

The amendment authorized by section 5 of Rule XXIV must be to substitute consideration of another Union Calendar bill and not to consider an additional bill. (388) *2-55, Record, p. 4988.*

The motion to go into Committee of the Whole House on the state of the Union at the end of the morning hour must be authorized specifically by a committee. (715) *2-51, Journal, p. 67, Record, p. 647;* but an individual member may move to go in generally. *3-58, Record, pp. 167, 168.*

It is not in order, before the expiration of sixty minutes of the call of committees, to move to go into Committee of the Whole House on the state of the Union to consider a bill that is not privileged. *2-59, Record p, 555.*

The motion to go into the Committee of the Whole House on the state of the Union may be made after sixty minutes of morning hour, or sooner if that order fails. *2-58, Record, pp. 877, 878.*

An instance wherein the House, by recess, remained for two calendar days at the stage of business wherein the motion under Rule XXIV, section 5, was in order. *2-58, Record, pp. 877, 900, 924, 940.*

ORDER OF BUSINESS—Continued.

(*e*) ***Going into Committee of the Whole at end of morning hour***—Continued.

The motions to go into Committee of the Whole House on the state of the Union under section 5 of Rule XXIV may be repeated, although the committee may have risen after having considered a bill under that order of business. *1-56, Record, pp. 4875, 4876, Journal, pp. 522, 524; 1-57, Record, pp. 2805, 2809, 2811, 2813.*

(*f*) ***Priority of business.***

The rule provides that questions relating to the priority of business shall be decided without debate. (434) *Rule XXV.*

A question of order arising out of any other question must be decided before that question. (1640) *Jefferson's Manual, Section XXXIII, p. 184.*

A resolution relating to an alleged abuse of the privileges of the floor does not present a question of higher privilege than a contested election case. (439) *1-48, Record, p. 4406.*

Before the adoption of rules a resolution relating to the order of business was held to be in order for immediate consideration. (444) *1-51, Journal, p. 19, Record, pp. 166, 167.*

A matter of privilege may be called up again, and again subjected to the question of consideration, although previously on the same day this question may have been decided against it. (818) *1-54, Record, pp. 6283, 6299.*

Before the stage of disagreement has been reached, the request of the other House for a conference gives the bill no privilege over other business of the House. (1374, 1375) *1-49, Record, pp. 7331, 7332; 2-54, Record, pp. 833, 834.*

It has generally been held that no business may be transacted before the reading and approval of the Journal. (221-225) *1-34, Journal, p. 1253, Globe, p. 1710; 2-50, Record, pp. 676, 677; 1-52, Journal, p. 92, Record, p. 1825; 2-51, Journal, p. 98, Record, p. 1863; 2-53, Journal, pp. 308, 309.*

For precedence of conference reports see "Conference reports."

(*g*) ***Precedence of revenue and appropriation bills.***

The rule giving revenue and general appropriation bills precedence on the motion of the appropriate committees. (389) *Rule XVI, section 9.*

In making the required motion under section 9 of Rule XVI it is in order to designate the particular appropriation bill to be considered. (300) *1-51, Record, p. 3256.*

The motion to go into Committee of the Whole to consider a general appropriation bill may not be amended by a nonprivileged proposition, and the previous question may not be demanded on it. *3-55, Record, pp. 1995, 1996.*

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider appropriation bills are of equal rank. (395) *2-52, Journal, p. 108.*

ORDER OF BUSINESS—Continued.

(*g*) ***Precedence of revenue and appropriation bills***—Continued.

The motion to go into Committee of the Whole to consider general appropriation bills is highly privileged and may be made on a "suspension day." (391) *2-51, Journal, p. 251.*

A motion to go into Committee of the Whole House on the state of the Union to consider revenue bills has precedence on Friday. *3-55, Record, p. 266; 2-56, Record, p. 2476.*

General appropriation bills have a highly privileged character which continues at all stages, even on Fridays. (413) *1-51, Journal, p. 910, Record, p. 8027.*

A motion to go into Committee of the Whole to consider general appropriation bills is in order Fridays as on other days. (392) *1-51, Journal, p. 398, Record, p. 2747.*

The motion to go into Committee of the Whole to consider general appropriation bills has precedence of a motion to go into the Committee of the Whole on Friday to consider the Private Calendar. (393-394) *2-55, Record, pp. 1436, 6077, 6078.*

(*h*) ***Bills in Committee of the Whole.***

The rule prescribing the order for considering business on the Calendars of the Committees of the Whole. (396) *Rule XXIII, section 4.*

The Committees of the Whole determine the order of taking up business on their Calendars. (397) *1-54, Record, p. 3283; 2-58, Record, p. 1542.*

It is for the Committee of the Whole and not for the House to determine in what order bills upon the committee's Calendar shall be taken up. (737) *2-54, Record, p. 1079.*

In Committee of the Whole a rule of procedure prescribed by the House may not be set aside. *2-56, Record, p. 1491.*

The House at the end of the morning hour, having gone into Committee of the Whole generally, the Committee may determine the order of considering business on its calendar. *3-58, Record, pp. 167, 168.*

The amendment referred to in section 5 of Rule XXIV does not refer to motions to take up bills after the House has gone into Committee of the Whole. *3-58, Record, pp. 167, 168.*

The House having resolved itself into Committee of the Whole for the purpose of considering a particular revenue or general appropriation bill, the Committee of the Whole may not take up another bill. (738) *3-46, Record, p. 1357.*

In considering bills on the Calendar of the Committee of the Whole House it is in order, upon a motion made and carried, to take up a bill out of its order. (740) *1-54, Record, p. 5589.*

The unfinished business in a Committee of the Whole is first in order. (739) *1-54, Record, p. 4101.*

ORDER OF BUSINESS—Continued.

(*h*) ***Bills in Committee of the Whole***—Continued.

A bill unfinished at a session of the Committee of the Whole House on the state of the Union held under section 5 of Rule XXIV, is again in order when the House goes into Committee of the Whole to consider it under that rule. *1-56, Record, p. 1286.*

The motion to close general debate in Committee of the Whole is made pending the motion that the House resolve itself into committee, and, though not debatable, the previous question is sometimes asked to prevent attempts at amendment of the motion. (915) *2-54, Record, p. 2218.*

Under former rule 104 it was decided that a motion to discharge the Committee of the Whole from the consideration of a measure which had been partly considered in that committee was not a privileged motion. (440) *2-45, Journal, p. 619, Record, p. 1601.*

It is not in order to move in the House to postpone the consideration of a bill which is still in Committee of the Whole. (441) *1-52, Journal, p. 318, Record, pp. 6591, 6592.*

A series of bills having been reported from the Committee of the Whole, it was held, when they were taken up by the House on a succeeding day, that they should be considered in the order in which the Journal showed them to have been reported from the Committee of the Whole. *3-55, Record, p. 1628; 1-59, Record, p. 3303.*

Amendments should be voted on in the order in which they are reported from the Committee of the Whole, although they may be inconsistent one with another. (1109) *2-53, Journal, p. 129, Record, pp. 1794, 1795.*

An amendment to a Senate amendment providing an appropriation for another purpose than that of the Senate amendment requires to be considered in Committee of the Whole, and the House may at once go into committee for that purpose. (769) *2-48, Record, pp. 2421-2423.*

(*i*) ***General provisions.***

A motion to discharge a committee from the further consideration of a vetoed bill is always in order. (435) *1-49, Journal, p. 2397.*

A motion for a recess is not in order when a question is before the House. (1481) *2-51, Journal, p. 346.*

Senate amendments to a House bill are considered in their order. *2-56, Record, p. 3572.*

The second and fourth Mondays of each month are set apart for business presented by the Committee on the District of Columbia. (1442) *Rule XXVI, section 3.*

ORDER OF BUSINESS—Continued.

(*i*) ***General provisions***—Continued.

The refusal of the House to consider a bill does not amount to its rejection and does not prevent its being brought before the House again. (819) *2-48, Journal, p. 491, Record, p. 1388.*

The withdrawal of an objection to the consideration of a bill does not bring it again before the House if other business has been taken up. (445) *2-55, Record, pp. 5159, 5161.*

By usage of the House, requests for leaves of absence and reports of the Committee on Enrolled Bills may be presented pending the announcement of the vote that the House adjourn. (443) *1-43, Record, p. 2338.*

The report of a commission constituted by law is referred to a committee when presented in the House. *3-58, Record, pp. 449-450, 511.*

ORGANIZATION OF THE HOUSE.

(*a*) *General provisions.*

(*b*) *Members challenged.* See "Oath."

(*a*) ***General provisions.***

The assembling of the House and the forms and ceremonies of organization. (2.)

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. *2-58, Record, pp. 1397-1408, 1407-1415.*

The House fixes the hour of daily meeting at the beginning of each session. *2-57, Journal, p. 6, Record, p. 4.*

At the beginning of each Congress the Clerk calls the Members to order, calls the roll, and presides pending the election of Speaker, deciding questions of order subject to an appeal. (1710) *Rule III, section 1; Revised Statutes, section 31.*

In the absence or disability of the Clerk the Sergeant-at-Arms may officiate at the organization of the House. (1717) *Revised Statutes, section 32.*

In the absence of Clerk and Sergeant-at-Arms the Doorkeeper makes up the roll of Members at the beginning of Congress. (1721) *Revised Statutes, section 33.*

Messages sent to the House by the President before its organization have been retained in custody of the Clerk, but have not been read. (1450, 1451) *1-34, Journal, pp. 221-228, 231-233, 444, 511, Globe, pp. 111-113; 1-36, Journal, p. 83, Globe, p. 268.*

ORGANIZATION OF THE HOUSE—Continued.

(*a*) *General provisions*—Continued.

After a long contest over the election of a Speaker, the difficulty was finally solved by the adoption of a plurality rule, the election being subsequently confirmed by a majority vote. (4, 5) *1-31, Journal, pp. 156, 163, 164; 1-34, Journal, pp. 429, 430, 444.*

In the Twenty-sixth Congress Mr. John Quincy Adams presided during the struggle over the organization. (928) *1-26, Journal, pp. 1-57.*

At the time of the organization of the House the Clerk has declined to entertain motions to amend the roll of Members. *1-41, Globe, p. 3; 1-43, Record, p. 5; 1-45, Journal, p. 10.*

Formerly motions to amend the roll were quite frequent. *1-38, Journal, p. 7.*

A Member-elect's letter of resignation, transmitted to the Speaker before the election of that officer, was laid before the House after organization. *1-57, Journal, p. 6, Record, p. 45.*

PACIFIC RAILROADS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (631) *Rules X, XI, section 23.*

PACKING BOXES.

The Clerk is required to make contracts with the lowest bidder for packing boxes for use of the House. *31 Stat. L., p. 967.*

PAGES.

The pages of the House, except the chief pages, riding pages, and telephone pages, shall not be under 12 nor over 18 years of age. *31 Stat. L., p. 968.*

PAIRS.

Pairs are announced after the completion of the roll call from a written list, which is published in the Record; and pairs are announced but once during the same legislative day. (1124) *Rule VIII, section 2.*

Upon a roll call the names of the Members are called alphabetically by surname, and after the roll has been once called the names of those not voting are called, after which the Speaker may not entertain a request to record a vote or announce a pair, except in cases where a Member's presence has been noted as part of a quorum. (1122) *Rule XV, section 1.*

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. *2-56, Record, p. 2915; 2-58, Record, p. 4574.*

PAIRS—Continued.

Pairs are not announced in Committee of the Whole. *1-56, Record, p. 4497.*

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. *2-58, Record, p. 4664.*

The motion to reconsider a yea-and-nay vote may not be made by a Member who, not voting, was paired in favor of the majority's contention. *1-59, Record, p. 7095.*

A suggestion being made that a pair had been disregarded, the Speaker held that this was not a question for the House. *1-57, Record, pp. 3255-3256.*

PAPERS.

(*a*) *In conference.*
(*b*) *General provisions.*
(*c*) *Reading of.* See "Reading of papers."

(*a*) ***In conference.***

The request for a conference must always be made by the House in possession of the papers. (1366) *Jefferson's Manual, Section XLVI, p. 207.*

In all cases of conference, after a disagreement, the papers are to be left by the House asking the conference with the House agreeing to it. (1366) *Jefferson's Manual, Section XLVI, p. 208.*

A conference report may not be considered when the original bill and amendments are not before the House. *1-57, Record, p. 7433; 1-59, Record, p. 8486.*

An instance where, after a conference asked before a disagreement, the report was made first in the House agreeing to the conference. *1-57, Record, pp. 7428, 7433, 7436.*

Where a conference committee can not agree the managers of the House asking the conference may retain the papers. *1-57, Record, pp. 4419, 4690, Journal, pp. 615, 647.*

A committee of conference having disagreed, a motion for a new conference is privileged, but steps may not be taken in this direction until the House is in possession of the papers. (1372) *1-52, Journal, p. 229, Record, p. 5369.*

(*b*) ***General provisions.***

A motion to reconsider may be entertained, notwithstanding the fact that the papers connected with the proposition may have gone out of the possession of the House. (1207-1210) *1-26, Journal, p. 1033, Globe, p. 124; 1-28, Journal, pp. 1125, 1131, Globe, p. 686; 1-29, Journal, p. 657; 1-33, Journal, pp. 336, 1199, Globe, pp. 375, 1913.*

PAPERS—Continued.

(*b*) ***General provisions***—Continued.

A particular clause of a bill may be committed without the whole bill, or so much of a paper to one and so much to another committee. (995) *Jefferson's Manual, Section XXVIII, p. 170.*

Except in certain cases, no paper presented to the House shall be withdrawn from the files without leave of the House. (1752) *Rule XXXIX.*

A Member may not offer as an amendment a paper already in possession of the House, and consequently a part of the files of the House. *1-57, Record, p. 5833; 2-57, Record, p. 1078.*

The House usually allows the withdrawal of papers only in cases where there has been no adverse report. (1753) *1-54, Record, pp. 91, 92.*

When an act has passed for the settlement of a claim, the Clerk may transmit to officer charged with settlement the papers, or loan to Government officers papers relating to matters pending before them. (1752) *Rule XXXIX.*

At the time of final adjournment the clerks of committees are required to deliver to the Clerk of the House the papers of the committee. (1751) *Rule XXXVIII, section 1.*

Provision is made for depositing in the Library certain portions of the files. *31 Stat. L., p. 642.*

No rule requires the Official Reporters to insert in the Record everything that may be read in the House. (1683, 1684) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125.*

Method of disposing of useless papers in the Executive Departments. (1783) *25 Stat. L., p. 672.*

A message of the President is usually communicated to both Houses on the same day, but an original document accompanying can of course be sent to but one House. (1449, 1454, 1455) *Jefferson's Manual, Section XLVII, p. 179; 1-35, Journal, p. 270, Globe, p. 533; 2-55, Record, pp. 3285, 3286.*

No officer or employee of the House should produce papers of the House before a court without permission of the House. (1754) *1-46, Journal, p. 186.*

The mandate of a court to Members of the House requiring them to produce in court certain papers in possession of a committee of the House was held to be a breach of privilege. (142) *1-44, Journal, p. 528, Globe, pp. 1522, 1538.*

PARAGRAPHS.

See "Debate" and "Amendments."

PARLIAMENTARY INQUIRY.

An appeal may not be taken from the response to a parliamentary inquiry. (1677) *2–55, Record, pp. 3379–3383.*

PARLIAMENTARY LAW.

The House is governed by the rules of Jefferson's Manual in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and orders of the House. (1533) *Rule XLIV.*

Before the adoption of rules, Speakers, acting under general parliamentary law, have held that—

The House is not bound by the rules of the preceding House, and is governed by the general parliamentary law of the land. (1142) *1–51, Journal, p. 144, Record, pp. 741–749.*

The general practice of the House constitutes the principal part of the parliamentary law of the land. (1535–1537) *1–50, Record, pp. 39, 41, 109; 1–51, Record, pp. 192, 193.*

A proposition may be introduced whenever a gentleman is recognized for that purpose. (1535) *1–50, Record, pp. 39, 41.*

A resolution relating to the order of business is in order for immediate consideration. (444) *1–51, Journal, p. 19, Record, pp. 166, 167.*

The hour rule for debate applies. (1536) *1–50, Record, p. 109.*

A Member who yields the floor yields it entirely. (852) *1–51, Record, pp. 955, 1010.*

A Member may not have read or read himself a printed book to the House without its leave. (1238) *1–51, Record, p. 1019.*

Amendments must be germane. (1537) *1–51, Record, pp. 192, 193.*

The previous question being ordered, the motion to refer is in order. (998, 1535) *1–53, Journal, pp. 8, 9; 1–50, Record, pp. 39, 41.*

The forty minutes of debate is not allowed after the ordering of the previous question. (966) *1–51, Record, p. 17.*

The appointment of tellers is not authorized or required. (1142) *1–51, Journal, p. 144, Record, pp. 741–749.*

The motion to lay an appeal on the table may be entertained. (954) *1–51, Journal, p. 144, Record, p. 749.*

Dilatory motions may be ruled out of order. (1612) *1–51, Journal, p. 181, Record, p. 999.*

PATENTS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (636) *Rules X, XI, section 28.*

PASSAGE.

The rule for the reading, engrossment, and passage of bills. (467) *Rule XXI, section 1.*

PASSAGE—Continued.

The Clerk certifies the passage of all bills and joint resolutions. (1712) *Rule III, section 3.*

On the votes on the engrossment and third reading, and on the passage, a division so as to vote separately on various propositions of the bill may not be demanded. (1137) *1-53, Journal, pp. 21, 22.*

When one House recedes from its amendment to a bill of the other, the bill is thereby passed, if there be no other point of difference as to the bill. *2-59, Record, pp. 4247, 4289.*

PAY.

Provisions of Constitution relating to compensation of Members. (7) *Constitution, Article I, section 6, p. 6.*

Rate of pay of Member and how disbursed. (11) *Revised Statutes, sections 38, 39, 46, 47, 48; 18 Stat. L., pp. 4, 389; 14 Stat. L., p. 323; 19 Stat. L., p. 145; 26 Stat. L., p. 645; 22 Stat. L., p. 108.*

The pay and mileage of Members are disbursed by the Sergeant-at-Arms. (1715, 1717) *Rule IV, section 1; 26 Stat. L., pp. 645, 646.*

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. *33 Stat. L., p. 1.*

The statutes provide for deducting the pay of Members in certain leaves of absence. *Revised Statutes, section 40. 2-53, Record, pp. 3797, 4130-4133. Reports Nos. 7041, 218; 2-54, Record, pp. 2013, 2049-2057.*

The question as to the pay of a Member elected after the beginning of the term of the Congress to fill a vacancy caused by a declination or resignation of effect on the day the term of the Congress began. *2-59, Record, pp. 351, 352. Reports H. of R. Nos. 8043, 8064.*

Less than a quorum may not direct the enforcement of section 40, Revised Statutes, in order to secure the attendance of absent Members. (301 and footnote) *1-51, Journal, p. 1025, Record, p. 9922.*

Citation of statutes relating to the pay and mileage of Members. *2-58, Record, pp. 1397, 1402, 1407-1415.*

An appropriation for mileage of Members at a regular session is authorized by law, although mileage may have been appropriated for a preceding special session. *2-58, Record, pp. 1397-1402, 1407, 1415.*

Clerk pays Members' stationery accounts, and pays the officers and employees monthly. (1712) *Rule III, section 3.*

Clerks of committees are paid at the public expense. (717) *Rule X, section 4.*

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for which they were appointed, especially in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

PAY—Continued.

No more than one person may be appointed to one position under the authority of the House, and an employee may not divide his salary with another. *31 Stat. L., p. 968.*

Pay of a suspended member of the Capitol police force. (1717, footnote) *18 Stat. L., p. 345.*

In case of a month's extra pay, an employee having an annual salary is entitled to one-twelfth of the sum of that salary. (1706) *Decisions of Comptroller of Treasury (Bowler), Vol. I, p. 297.*

The representatives of an employee deceased before the passage of an act granting a month's extra pay are not entitled to what would be paid to the employee were he alive. (1705) *Decisions of Comptroller (Bowler), Vol. I, p. 310.*

PENSIONS.

General appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3*

Pension bills for relief of individuals and bills removing political disabilities are private bills. (455) *28 Stat. L., section 55, p. 609.*

Each Friday at 5 p. m. the House takes a recess until 8 p. m. for an evening session for consideration of private pension bills and bills removing charges of desertion and political disabilities. (1438) *Rule XXVI, section 2.*

By special order during this Congress Friday evening sessions are discontinued and bills granting pensions and removing charges of desertion are considered on the second and fourth Fridays of each month. *Rule XXVI, section 2 (note).*

Those reported on the previous Friday are in order before the motion to go into Committee of the Whole House. (370–373) *2–52, Journal, p. 33, Record, p. 381; 1–54, Journal, p. 365, Record, p. 3536; 2–55, Record, pp. 1982, 2737.*

PENSIONS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (638) *Rules X, XI, section 30.*

Entitled to have an assistant clerk detailed from the Interior Department (Pension Office). *23 Stat. L., p. 266.*

PENSIONS OF THE CIVIL WAR.

Subjects relating thereto belong to the jurisdiction of the Committee on Invalid Pensions. (637) *Rule XI, section 29.*

PER DIEM EMPLOYEES.

Decisions as to per diem employees in case of an appropriation for a longer time than their actual employment. (1707) *Decisions of Comptroller (Bowler), Vol. I, p. 98.*

PERSONAL EXPLANATIONS.

Personal explanations are allowed only by unanimous consent. (32) *1-29, Globe, p. 729.*

A Member having the floor to make a personal explanation may not be interrupted while he keeps within parliamentary bounds. (35) *2-39, Globe, p. 1651.*

A Member in making a personal explanation has the largest latitude; but must confine himself to the point on which he has been criticised, and may not yield time for debate to another. (34) *2-38, Globe, p. 503.*

Unanimous consent having been given for a personal explanation, the Member may not be interrupted by a single objection. (33) *1-38, Globe, p. 1762.*

While a Member is occupying the floor he may yield it to another for explanation of the pending measure as well as for personal explanation. (850, 851) *1-32, Journal, p. 524, Globe, p. 911; 2-33, Globe, p. 815.*

A Member who proposes to read, as part of a personal explanation, matter which the House had refused to allow to go into the Congressional Record, was permitted to do so, subject to a point of order if there should be anything in violation of the rules governing debate. (1242) *1-49, Journal, pp. 2547, 2548, Record, pp. 8031, 8032.*

Personal explanations of Members are not usually entered in the Journal. (237) *2-53, Journal, p. 435.*

PERSONAL INTEREST.

Where the private interests of a Member are concerned in a bill or question he is to withdraw; and in such case he is not required to vote. (8, 9) *Jefferson's Manual, Section XVII, p. 158; Rule VIII, section 1.*

A disqualifying interest is such as affects the Member individually, as distinct from a class. It does not operate on questions incidental to the subject, and the Member himself is usually left to judge as to whether or not he is disqualified for voting. (1129-1131) *1-26, Journal, pp. 1283, 1300, Globe, p. 531; 1-43, Journal, pp. 771, 772, Record, pp. 3019, 3020; 2-44, Record, p. 2132; 2-56, Record, pp. 3383, 3384.*

PERSONAL PRIVILEGE.

See "Privilege."

PERSONALITIES.

The Member shall confine himself to the question under debate, avoiding personality. (870) *Rule XIV, section 1; Jefferson's Manual, Section XVII, p. 155.*

PERSONAL EXPLANATIONS—Continued.

Personalities—Continued.

Indecent language against the proceedings of the House, mentioning a Member by name, arraigning the motives of Members, and personalities generally are improper in debate. (898) *Jefferson's Manual, Section XVII, p. 155; 1-57, Record, p. 5171; 1-59, Record, pp. 352, 356, 5223.*

PETITIONS.

The rule for the introduction of petitions, memorials, and private bills. (448) *Rule XXII, section 1.*

A petition properly referred to a committee gives jurisdiction for reporting a bill. (666) *1-32, Journal, p. 935.*

The proceedings of a committee may not be published, as they are of no force until confirmed by the House, and a committee may receive a petition only through the House. (602) *Jefferson's Manual, Section XI, p. 122.*

The Speaker may withhold such private bills, petitions, and memorials as in his judgment are of an obscene or insulting character. (448) *Rule XXII, section 1.*

A petition or bill excluded under section 1 of Rule XXII is to be returned to the Member presenting it. (449) *Rule XXII, section 2.*

PHILIPPINES.

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

PICTURES.

Subjects relating to, belong to the jurisdiction of the Committee on Library. (654) *Rule XI, section 56.*

The Architect enforces the law relating to exhibition of works of art in the Capitol. (1765) *18 Stat. L., p. 376; 20 Stat. L., p. 391.*

PLACE.

Neither House shall adjourn for more than three days, or to another place, without the consent of the other. (1486) *Constitution, Article I, section 5, p. 6.*

PLURALITY VOTE.

After a long contest over the election of a Speaker, the difficulty was finally solved by the adoption of a plurality rule, the election being subsequently confirmed by a majority vote. (4, 5) *1-31, Journal, pp. 156, 163, 164; 1-34, Journal, pp. 429, 430, 444.*

POINTS OF ORDER.

(*a*) *Decided by the Speaker.*
(*b*) *General provisions.*
(*c*) *Time of making.*
(*d*) *No quorum.*
(*e*) *Relation to question of consideration.*
(*f*) *In Committee of the Whole.* See "Committee of the Whole."

(*a*) ***Decided by the Speaker.***

The Speaker decides questions of order, subject to appeal. (45) *Rule I, section 4.*

The Speaker may, on a difficult question of order, decline to rule until he has taken time for examination of the question. *2-58, Record, pp. 5655, 5657.*

Debate upon a point of order is within the discretion of the Speaker. (880, 1643) *2-51, Journal, p. 174, Record, pp. 1787, 1788; 1-43, Record, p. 3020; 3-58, Record, p. 1846.*

The Chair having used his discretion in recognizing a Member for debate on a point of order, declined to entertain an appeal from this recognition. *1-56, Record, p. 4494.*

If difficulty arise on a point of order during a division the Speaker decides peremptorily, subject to future censure of the House. (1123) *Jefferson's Manual, Section XLI, p. 201.*

The Speaker may speak first in matters of order. (839) *Jefferson's Manual, Section XVII, p. 155.*

The Chair may rule an amendment out of order before the reading has been completed, if enough has been read to show that it is not in order. (1248) *2-55, Record, p. 2735; 2-56, Record, p. 744.*

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. (90) *2-48, Record, p. 2302.*

Decisions on questions of order in the House are always open for reexamination and decision. (407) *2-50, Record, pp. 47, 48.*

(*b*) ***General provisions.***

A question of order just decided on appeal may not be renewed on the suggestion of additional reasons. (1642) *1-38, Journal, p. 537, Globe, p. 1680.*

A question of order arising out of any other question must be decided before that question. (1640) *Jefferson's Manual, Section XXXIII, p. 183.*

If a paper read by a Member or by the Clerk contain matter not in order, a point of order may be made as if the words were spoken in debate. (1634) *1-49, Journal, p. 2547.*

POINTS OF ORDER—Continued.

(*b*) ***General provisions***—Continued.

If a portion of a proposed amendment is out of order the whole of it is out of order. (1052, 1641) *1-47, Journal, pp. 1285, 1704; Record, pp. 4121-4123; 3-55, Journal, p. 21; Record, pp. 43, 44; 2-58, Record, p. 2384.*

A point of order being made against an entire paragraph, the whole of it must go out if a portion merely is subject to the objection. *2-58, Record, p. 2438; 3-58, Record, p. 1321.*

A point of order may be made to the whole or to a part only of a paragraph. *2-58, Record, p. 2227.*

The fact that a point of order is made against a portion of a paragraph does not prevent another point against the whole paragraph. *2-58, Record, pp. 2649-2700.*

An amendment may not be offered to a paragraph in a bill until a point of order reserved against the paragraph has been disposed of. *2-58, Record, pp. 3994, 3995-4068.*

After the motion is made for the previous question, all incidental questions of order, whether an appeal or otherwise, are decided without debate. (961) *Rule XVII, section 3.*

The previous question being ordered, questions of order are decided without debate. *1-56, Record, p. 5922.*

A proposition which is before the House, even though of such a nature as to have been ruled out on a point of order had one been made, may be perfected by amendments. (1068-1070) *1-48, Record, p. 5146; 2-54, Record, p. 390; 2-55, Record, p. 2941.*

If a paper read by a Member or by the Clerk contains matter not in order a point of order may be made as if the words were spoken in debate. *2-58, Record, pp. 5205-5207.*

When a conference report is ruled out on a point of order, it is equivalent to a negative vote on the report, and the Senate is informed by message that the House has "disagreed" to the report. (1417) *2-55, Record, pp. 4514, 6140; 1-57, Record, pp. 5365, 6368.*

Decisions on questions of order are preserved in the Journal by the Clerk. (1712) *Rule III, section 3.*

(*c*) ***Time of making.***

A point of order may be made at any time before consideration is entered upon. (1656) *2-48, Journal, p. 332.*

The House having given unanimous consent for the consideration of a bill with a proposed committee amendment, this action was held to be in effect an affirmative decision of the question of consideration, thus precluding a point of order against the amendment. *1-56, Record, pp. 4615, 4616, Journal, pp. 500, 501.*

POINTS OF ORDER—Continued.

(c) *Time of making*—Continued.

Points of order against a conference report should be made or reserved before discussion begins. *2-56, Record, p. 3163.*

A point of order against a conference report should be made before the statement is read. *1-57, Record, p. 5366; 2-59, Record, pp. 3210, 3220.*

A conference report having been agreed to, it is too late to raise, as a matter of privilege, a question as to whether or not the managers have exceeded their authority. *1-57, Record, pp. 2527, 2528.*

The House having voted to consider a matter, a point of order against it comes too late. *2-57, Record, p. 231.*

A point of order should be made when a matter is presented, and not after consideration and on a succeeding day. (1655) *2-30, Journal, p. 382.*

Points of order are reserved at time of reference to Committee of the Whole only on general appropriation bills. *1-59, Record, p. 6840.*

It is a common practice for a Member to reserve a point of order, and if he do not insist upon it another Member may make the point. (1663) *2-55, Record, p. 6092.*

A point of order may not be reserved by a Member if another Member insists on an immediate decision. *1-56, Record, p. 4717; 2-56, Record, pp. 1429, 1430; 2-58, Record, p. 3442.*

A reserved point of order being withdrawn, a Member may at once renew it. *2-56, Record, p. 2486.*

The reservation of a point of order must be made publicly, and not by private arrangement with the Member in charge of the bill. *1-59, Record, p. 5669.*

It is the better practice for all points of order to be stated before a decision is made as to any. *2-58, Record, pp. 3524, 3526.*

When a point of order is reserved, the pending proposition may be debated on its merits, unless some Member demands a decision of the question of order. *2-59, Record, p. 3372.*

Where discussion on the merits proceeds while a point of order is reserved, it precludes the making of a second point of order after a decision as to the first. *2-59 Record, pp. 1983, 1985.*

A point of order against a proposition must be made before an amendment is offered to it. (1664, 1665) *1-51, Record, p. 3892; 2-55, Record, p. 2447; 1-57, Record, pp. 6011, 6013; 2-58, Record, pp. 3958, 3959, 4952.*

After debate has begun on a proposition it is too late to make a point of order. (1657-1663) *1-30, Journal, p. 989; 1-48, Record, p. 752; 1-51, Journal, p. 21, Record, p. 195; 1-54, Record, pp. 567, 572; 2-55,*

POINTS OF ORDER—Continued.

(*c*) ***Time of making***—Continued.

Record, pp. 2720–2724, 3001, 6092; 3–55, Journal, pp. 271, 274, Record, pp. 267, 2925; 2–58, Record, pp. 1142, 5277, 5278.

But the debate to preclude the point of order should be on the merits of the proposition. *2–58, Record, pp. 5031, 5032.*

A bill being considered under the five-minute rule, a point of order against a paragraph should be made before the next paragraph is read. *3–58, Record, p. 1301.*

The point of order against unauthorized appropriations or legislation in general appropriation bills may be made against a portion of a paragraph, even though it be not more than two words. *2–59, Record, pp. 1964, 1965.*

A point of order being made against an entire paragraph, and being sustained because a portion only is out of order, the entire paragraph goes out; but it is otherwise if the point is made only against the portion out of order. *2–59, Record, p. 904.*

The alleged lateness of a point of order may not be urged after the Chair has ruled. *3–58, Record, p. 379.*

A point of order against the motion to strike out the enacting clause must be made before debate has begun. *1–57, Record, pp. 6634, 6635.*

A point of order relating to the constitutional privilege of the House may be made at any time. *2–56, Journal, pp. 217, 218, Record, pp. 2258–2262.*

After a motion to suspend the rules has been received and debate has begun it is too late to make the point that the motion has not been authorized by a committee. (1600) *2–51, Record, p. 489.*

If, on a committee-suspension day, an individual motion to suspend the rules is made and seconded, it is then too late to make a point of order. (1601) *1–50, Journal, pp. 1649, 1650, Record, pp. 3020, 3026.*

A bill having been brought before the House and consideration having begun, the validity of the authorization by the committee may not then be questioned. (706) *2–51, Journal, p. 55, Record, pp. 487, 488; 1–59, Record, pp. 7246, 7247.*

It is too late to make the point of order that a Member has already spoken if no one claims the floor until he has made some progress in his speech. (864) *1–29, Journal, p. 934.*

After the House has met after the recess Friday evening, under the rule, it is too late to make a point of order against taking up the business specified by the rule. (1441) *2–54, Record, p. 603.*

When the House is voting upon a proposition it is too late to make the point of order that the proposition is not in order. (1668) *2–54, Record, p. 2211.*

POINTS OF ORDER—Continued.

(*d*) ***"No quorum."***

The point of order must be that no quorum is present. (246) *2-54, Record, p. 2966.*

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. (263, 264) *2-54, Record, p. 1077; 2-55, Record, pp. 4529, 4530; 2-59, Record, pp. 4303-4305.*

When on division less than a quorum votes, and then tellers or the yeas and nays are refused, it is too late to make the point of no quorum. (269-275) *1-51, Journal, p. 856, Record, p. 7262; 2-52, Journal, pp. 53, 58, Record, p. 834; 1-53, Journal, p. 30; 1-54, Record, pp. 3299, 5824; 2-55, Record, p. 3863.*

(*e*) ***Relation to question of consideration.***

The House having voted to consider a matter, a point of order against it comes too late. (692, 1666, 1667) *1-51, Journal, p. 233, Record, p. 1353; 2-51, Journal, p. 346, Record, p. 3711; 1-54, Journal, p. 595, Record, p. 6331.*

A point of order which, if sustained, might prevent the consideration of a bill should be made and decided before the question of consideration is put; but it is otherwise when the point of order merely relates to the method of consideration. (813) *2-55, Record, p. 6553; 1-51, Journal, p. 331, Record, p. 2123.*

POLICE.

Duties of the Sergeant-at-Arms in connection with the care of the Capitol and control of the Capitol police. (1717) *Revised Statutes, sections 1820, 1821, 1823, 1824, 1825.*

The captain and lieutenants of the Capitol police are selected jointly by the Sergeant-at-Arms of the two Houses, and privates and watchmen are selected one-half by each of the two officials. The Clerk of the House disburses pay of one-half. *31 Stat. L., p. 963.*

Pay of a suspended member of the Capitol police force. (1717, footnote) *18 Stat. L., p. 345.*

Capitol police shall wear uniforms when on duty. *31 Stat. L., p. 90.*

POLITICAL DISABILITIES.

Private pension bills and bills removing charges of desertion and political disabilities are considered at Friday evening sessions. (1438) *Rule XXVI, section 2.*

Political disabilities arising from the civil war have been removed. *30 Stat. L., p. 432.*

PORTO RICO.

Committee on Insular Affairs has jurisdiction of certain subjects relating to. *Rule XI, section 18.*

The Resident Commissioner from Porto Rico has certain of the privileges of Delegates and may serve on the Committee on Insular Affairs. *Rule XII, section 2.*

POSTMASTER.

This officer is elected by *viva voce* vote and is sworn to support the Constitution, to the faithful discharge of his duties, and to keep the secrets of the House; and appoints the employees of his department. (1704) *Rule II.*

The Postmaster superintends the post-office in the Capitol, and is responsible for the delivery of the mail of Members. (1725) *Rule VI.*

The Postmaster having died, it was held that contracts for carrying the mails must be made by the Clerk and not by the assistant postmaster. (1726) *Decisions Comptroller Treasury (Bowler), Vol. I, p. 496.*

The Postmaster accounts for the Government property in his possession. (1727) *Revised Statutes, section 72.*

The Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall certify to their monthly pay rolls stating whether or not the employees thereon have been present and performed their duties, etc., and neglect of this requirement is cause for removal. *31 Stat. L., p. 968.*

Employees under the Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for where they were appointed, except in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

POST-OFFICE.

The Postmaster superintends the post-office in the Capitol and is responsible for the delivery of the mail of Members. (1725) *Rule VI.*

POST-OFFICE AND POST-ROADS COMMITTEE.

Its powers, duties, jurisdiction, number of members, and history. (623) *Rule X, Rule XI, section 14.*

Committee has leave to report general appropriation bills at any time. (398) *Rule XI, section 61.*

POSTPONE.

It is a privileged motion and has a precedence determined by rule. (924) *Rule XVI, section 4.*

This motion, being once put and decided, is not allowable again on the same day at the same stage of the proceedings. (924) *Rule XVI, section 4.*

POSTPONE—Continued.

On a motion to postpone to a day certain the merits of the bill may not be debated. *2-58, Record p. 3047.*

It is not in order to move in the House to postpone the consideration of a bill which is still in Committee of the Whole. (441) *1-52, Journal, p. 318, Record, pp. 6591, 6592.*

A motion to suspend the rules may not be postponed indefinitely. (1583) *1-26, Globe, p. 121.*

The previous question having been ordered on the engrossment and third reading of a resolution, it was held that a motion to postpone was not in order until the previous question had been exhausted. (965) *1-49, Record, p. 7393; 3-55, Record, p. 1661.*

It is in order to amend a motion to postpone. (1045) *Jefferson's Manual, Section XXXIII, p. 182.*

The motion to postpone may not be entertained after the previous question has been ordered. *1-56, Record, p. 6250.*

In Committee of the Whole a motion to report a bill with the recommendation that it be postponed is in order, but the motion to report the bill with the recommendation that it do pass has precedence. (741) *2-55, Record, p. 843.*

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of the recommendation that it be postponed to a day certain or be recommitted to a standing committee. (747) *2-55, Record, pp. 3923, 3924.*

Whenever a question of privilege is called for it must be taken up, although it may be postponed by a vote of the House. (110) *2-31, Journal, p. 119, Globe, p. 190.*

A special order may not be postponed. (822) *1-47, Journal, p. 1540, Record, p. 5349.*

The subject of a special order, when it is before the House, may be postponed by a majority vote. (1299, 1300) *1-29, Journal, p. 1170, Globe, p. 1164; 1-31, Globe, p. 1318; 2-58, Record, p. 3047.*

The House may postpone the consideration of a vetoed bill to a future day. (1473-1477) *1-21, Journal, p. 542, Debates, p. 1138; 1-28, Journal, pp. 1081, 1084, 1085, Globe, p. 663; 2-33, Journal, p. 8, Globe, p. 2; 3-53, Journal, p. 190; 2-54, Record, pp. 2667-2668.*

PREAMBLE.

The preamble is considered and adopted after the other parts are gone through. (464) *Jefferson's Manual, Section XXVI, p. 167.*

PREAMBLE—Continued.

The preamble of a bill or joint resolution may be agreed to most conveniently after the engrossment and before the third reading. (466) *2-55, Record, p. 3820.*

The previous question having been ordered on resolutions with a preamble, it was decided that it did not include the preamble. (465) *1-34, Journal, p. 1217, Globe, p. 1642; 1-56, Record, p. 2429.*

The privilege of a resolution of inquiry may be destroyed by a preamble although the matter therein recited may be germane to the subject of inquiry. *1-59, Record, pp. 9541-9543; 2-59, Record, p. 4664.*

PRECEDENCE.

(*a*) *General provisions.*
(*b*) *In relation to Committee of the Whole.*
(*c*) *In case of amendments between the Houses.*
(*d*) *Special orders.*
(*e*) *Conference reports.*

(*a*) ***General provisions.***

The motions allowed when a question is under debate and their precedence. (924) *Rule XVI, section 4.*

The motion to adjourn takes precedence of all others, but may not be received while the House is engaged in voting. (1487) *Jefferson's Manual, Section XXXIII, p. 175.*

No question being under debate, a motion to fix the day to which the House should adjourn already made was held not to give way to a motion to adjourn. (1512) *2-55, Record, p. 1637.*

A Member having obtained the floor to make a preferential motion may not thereupon demand the previous question to the exclusion of the Member in charge of the bill. *2-56, Record, p. 3577.*

A Member may not, by offering a motion of higher privilege than the pending motion, deprive the Member in charge of the bill of the floor. *2-56, Record, p. 2991.*

A question of consideration being pending, a motion to refer is not in order. *2-56, Record, p. 3093.*

The previous question being demanded on a resolution, and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. *2-56, Record, p. 555.*

The question as to whether or not a question of privilege should have precedence of a report from the Committee on Rules. (1549-1551) *2-53, Journal, pp. 71, 72, 132, Record, pp. 485, 527, 1809; 1-55, Record, p. 2478.*

PRECEDENCE—Continued.

(*a*) ***General provisions***—Continued.

The motion to postpone may not be entertained after the previous question has been ordered. *1-56, Record, p. 6250.*

The motion to reconsider takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

The motion to refer, the previous question not being ordered, has precedence of the motion to amend. *1-57, Record, p. 2495.*

Motions to amend a paragraph take precedence of motions to strike it out or agree to it, although either of the latter motions may be made first. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

The motion to recommit with instructions made before the engrossment is cut off by the ordering of the previous question on the bill to the passage. *3-55, Record, pp. 595, 597.*

The motion to strike out the enacting clause has precedence of the motion to amend. (938) *Rule XXIII, section 7.*

(*b*) ***In relation to Committee of the Whole.***

When a bill is reported from the Committee of the Whole with amendments it is in order to submit additional amendments, but the first question is on the amendments reported. (1108) *1-29, Journal, p. 865, Globe, p. 876.*

A motion to go into Committee of the Whole House on the state of the Union to consider revenue bills has precedence on Fridays. *3-55, Record, p. 266.*

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. *2-56, Journal, p. 293, Record, p. 3236.*

The motion to go into Committee of the Whole to consider general appropriation bills has precedence of a motion to go into Committee of the Whole on Fridays to consider the Private Calendar. *2-56, Record, p. 2476.*

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday as against private business. *2-57, Record, p. 2425.*

The Committee of the Whole having reported both a bill and a resolution relating to an alleged breach of privilege, the Speaker put the question first on the bill. *2-56, Record, p. 2285.*

The Committee of the Whole having reported a proposition for action, the Speaker gave it precedence over a resolution offered from the floor by a Member in relation to the same subject. *2-56, Journal, p. 222, Record, pp. 2320, 2321.*

PRECEDENCE—Continued.

(*b*) ***In relation to Committee of the Whole***—Continued.

In Committee of the Whole the simple motion that the committee rise has precedence of the motion to amend. *1-57, Record, p. 6426.*

Bills in Committee of the Whole may be reported with the recommendation that they be postponed or referred, and the latter recommendation has precedence over the recommendation that the bill do pass. *1-59, Record, pp. 7089-7091.*

In Committee of the Whole motions to amend have precedence of the motion to rise and report. *2-56, Record, pp. 1200, 1202; 1-57, Record, pp. 6777, 6778; 2-58 Record, p. 2440.*

In Committee of the Whole, under the five-minute rule, the right to explain or oppose an amendment has precedence over a motion to amend it. *1-59, Record, pp. 4500-4504.*

(*c*) ***In case of amendments between the Houses.***

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

Before the stage of disagreement has been reached the motion to refer Senate amendments has precedence of the motion to concur. (1343-1345) *1-48, Record, p. 3942; 2-52, Journal, p. 101, Record, p. 1954; 2-54, Record, p. 372.*

The stage of disagreement not having been reached, the motion to concur with an amendment has precedence of the simple motion to concur. (1346) *2-55, Record, pp. 839, 840.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1-55, Record, pp. 2641, 2642.*

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. (1349-1353) *2-53, Journal, p. 557, Record, p. 8389; 3-53, Journal, p. 185, Record, p. 3178; 1-54, Record, p. 6068; 1-55, Record, p. 2661; 2-55, Record, p. 6731.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064.*

The motions to insist and ask a conference have precedence of the motions to instruct conferees. (1376-1379) *1-49, Record, pp. 7404, 7405, 7598; 2-54, Record, pp. 1321, 1322, 1334, 1940, 1945.*

The motion to insist has precedence of the motion to adhere. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

PRECEDENCE—Continued.

(*c*) ***In case of amendments between the Houses***—Continued.

Where one House has voted at once to adhere the other may insist and ask a conference, but the motion to recede has precedence. (1364) *1-23, Journal, p. 229, Debates, pp. 2493, 2494, 2498.*

(*d*) ***Special orders.***

When a bill has been made a special order for a certain day its consideration takes precedence on such day over privileged reports. (1264) *1-49, Record, p. 7276.*

When two special orders are made for the same time the one made first has priority over the other; but the question of consideration can be raised against either of them. (1260, 1261) *1-26, Globe, p. 325; 1-49, Record, p. 4543; 2-57, Record, p. 1019.*

A special order setting apart a day for the consideration of a particular bill, or of business from a particular committee, has precedence over a continuing order for the consideration of a bill or of business from a committee. (1262, 1263) *1-49, Journal, p. 1598, Record, p. 4483; 2-49, Record, p. 1684.*

(*e*) ***Conference reports.***

Rule giving them precedence. (1391) *Rule XXIX.*

A conference report has precedence of the question on the reference of a bill, even though the yeas and nays had been ordered. (1398) *1-52, Journal, p. 263, Record, pp. 10444, 10445.*

A conference report may be presented during the time set apart by a special order for the consideration of another measure. (1400) *1-55, Record, pp. 1396, 1397; 3-55, Record, p. 2589.*

A conference report may be presented after the vote by tellers and pending the question on ordering the yeas and nays. (1399) *1-54, Record, p. 5916.*

A conference report may be presented after a motion to adjourn has been made or when a Member is occupying the floor for debate; but the report need not be disposed of before the motion to adjourn is put. (1393-1395) *2-50, Record, pp. 678, 683; 1-51, Journal, p. 822, Record, pp. 6941, 6942; 1-51, Journal, p. 904, Record, p. 7880.*

A conference report has been given precedence over a question of privilege. (1397) *1-51, Journal, p. 1082, Record, pp. 10444, 10445.*

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. *2-56, Journal, pp. 281, 282, Record, p. 3092.*

A conference report is in order pending a demand for the previous question. *3-55, Record, p. 867.*

PRECEDENCE—Continued.

(*e*) ***Conference reports***—Continued.

The question on the adoption of a final conference report has precedence of a motion to recede and concur in amendments of the other House. *3–55, Record, p. 2927.*

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. *2–56, Record, p. 3594.*

PRESENCE OF MEMBERS.

Every Member shall be present during sessions of the House. (9) *Rule VIII, section 1.*

PRESIDENT OF THE SENATE.

The President of the Senate preserves order during the counting of the electoral vote. (1766) *24 Stat. L., p. 373.*

PRESIDENT OF THE UNITED STATES.

(*a*) *Relations with the House.*
(*b*) *Approval and disapproval of bills.*
(*c*) *Elections, inauguration, etc.*
(*d*) *Messages of.* See "Messages."
(*e*) *President's veto.* See "Veto."
(*f*) *Impeachment of.* See "Impeachment."

(*a*) ***Relations with the House.***

The Constitution provides that Congress shall meet on the first Monday in December of every year, and that the President may on extraordinary occasions convene both or either of the Houses. (1) *Constitution, Article I, section 4, p. 5; Article II, section 3, p. 23.*

The President may convene both Houses, or either of them, and in case of disagreement as to adjournment may adjourn them. (1486) *Constitution, Article II, section 3, p. 23.*

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. (140) *2–53, Journal, pp. 43, 44, Record, pp. 397–400; 2–58, Journal p. 26, Record pp. 55–58.*

Entitled to the privilege of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Speaker assigns gallery accommodation to the President. (1741) *Rule XXXV.*

A protest by President Tyler against certain proceedings of the House was declared a breach of privilege. (136) *2–27, Journal, p. 1459, Globe, pp. 973, 974, 994.*

PRESIDENT OF THE UNITED STATES—Continued.

(*a*) ***Relations with the House***—Continued.

An appeal of a Member to the President for protection was considered derogatory to the privileges of the House. (158) *1-6, Annals, pp. 374, 378, 387, 426, 506; American State Papers, Miscel., vol. 1, p. 196.*

The assault upon the private secretary of the President in the Capitol in 1828. (161) *1-20, Debates, p. 2715.*

Forms of resolutions adopted for final adjournment, and notification of the President. (1531, 1532) *2-54, Record, pp. 2981, 2986; 1-55, Record, p. 2973.*

At the adjournment of the last session of a Congress, even at the expiration of the constitutional term of the House, the two Houses send a joint committee to inform the President. *2-59, Record, pp. 4057-4671.*

A reference in debate to the probable action of the President of the United States was held to involve no breach of order. *1-57, Record, p. 3371.*

Proceedings and exercises in memory of the late President McKinley. *1-57, Journal, pp. 50, 223, 394; Record, pp. 93, 693, 2197-2202.*

(*b*) ***Approval and disapproval of bills.***

The enrolling, signing, and presentation of bills to the President. (478) *Jefferson's Manual, Section XLVIII, p. 212.*

Provisions of the Constitution relating to the approval and disapproval of bills by the President. (1466) *Constitution, Article I, section 7, p. 7.*

A bill not returned by the President within ten days of its presentation to him (Sundays excepted) becomes a law unless Congress by their adjournment prevent its return. (1466) *Constitution, Article I, section 7, p. 7.*

Bills, resolutions, orders, and votes passed by the two Houses in concurrence are required by the Constitution to be presented to the President for approval. (452) *Constitution, Article I, section 7, p. 7.*

Bills that have been sent to the President are sometimes recalled by the House. (479, 480) *1-51, Journal, p. 828; 1-54, Record, p. 1703.*

The process of recalling from the President and amending an enrolled bill. *2-56, Journal, p. 178, Record, p. 1762; 2-58, Record, pp. 2740, 2839, 3509; 1-59, Record, pp. 2475, 2506, 2553, 2889, 2900, 3050, 3102.*

According to the later practice a bill recalled from the President may not be amended by the two Houses. *1-57, Record, pp. 2845, 2876, 2926, 3754, 4141.*

A bill wrongly enrolled was recalled from the President, who erased his signature, and recommitted to the Committee on Enrolled Bills with instructions. *2-56, Journal, p. 85, Record, p. 553.*

PRESIDENT OF THE UNITED STATES—Continued.

(*b*) ***Approval and disapproval of bills***—Continued.

Instance wherein a bill enrolled and signed by the Presiding Officers of the two Houses at one session, was sent to the President and approved at the next session. *3–58, Record, pp. 66, 125; Bills H. R. Nos. 10516 and 11444.*

The question whether or not concurrent resolutions should be presented to the President for approval. (453) *2–54, Senate Report No. 1335.*

The Chairman of the Committee on Enrolled Bills reports daily the enrolled bills presented to the President of the United States for approval. *1–57, Journal, p. 346, Record, p. 1778.*

(*c*) ***Election, inauguration, etc.***

The Constitution specifies what shall constitute a quorum of the House for the election of a President. (239) *Constitution, Article XII, p. 40.*

Proceedings in relation to the Electoral Count of 1905. *3–58, Record, pp. 64, 459, 586, 918, 1156, 2052, 2062, 2089, 2090.*

Rules for the election of a President by the House. (1768) *2–18, Journal, pp. 213, 215, 220, 222.*

The inauguration of the President. (1769) *1–45, Senate Journal, March 5, 1877; 3–46, Record, March 4, 1881; 2–50, Record, pp. 2720, 2721.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2–56, Journal, p. 194, Record, p. 1960; 3–58, Record, pp. 341, 602.*

A bill to amend the law in relation to vacancies in the offices of President and Vice-President was treated as highly privileged. (143) *2–44, Journal, pp. 555, 556, Record, p. 1980.*

Subjects relating to the election of, belong to the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. (645) *Rule XI, section 37.*

PRESIDENT'S MESSAGE.

See "Messages."

PRESS CORRESPONDENTS.

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, brought before the House as matter of privilege. (123) *1–48, Journal, p. 444, Record, p. 741.*

The Speaker may admit to the press gallery, and allow representatives of the news associations the privileges of the floor. (1742) *Rule XXXVI, section 2.*

Copies of the Congressional Record are furnished to newspaper correspondents. *31 Stat. L., p. 713.*

PREVIOUS QUESTION.

(*a*) *Rule and practice.*
(*b*) *By whom moved.*
(*c*) *Application of.*
(*d*) *Effect of—Generally.*
(*e*) *Effect of—After adjournment.*
(*f*) *Questions in order pending.*
(*g*) *Debate after it is ordered.*
(*h*) *Relation to reconsideration.*
(*i*) *When ordered by less than a quorum.*
(*j*) *In relation to the motion to refer.*
(*k*) *In relation to the motion to refer—Amendments.*
(*l*) *In relation to the motion to refer—Application of, etc.*

(*a*) ***Rule and practice.***

The rule of the previous question. (959) *Rule XVII, section 1.*

The motion for the previous question shall be decided without debate. (924) *Rule XVI, section 4.*

It is a privileged motion and has a precedence determined by rule. (924) *Rule XVI, section 4.*

The previous question may not be ordered at once on two bills. *2-57, Record, p. 1492.*

A motion for the previous question may not be laid on the table. (955) *2-29, Journal, p. 252, Globe, p. 982.*

A motion to amend the motion for the previous question is not in order. (1045) *Jefferson's Manual, Section XXXIII, p. 181.*

The motion to postpone may not be entertained after the previous question has been ordered. *1-56, Record, p. 6250.*

The form of putting the previous question. (1045, footnote.)

It has generally, although not always, been held that the question of consideration may not be raised against a bill on which the previous question has been ordered. (815, 816) *1-48, Record, p. 5543; 2-52, Journal, p. 33, Record, p. 381; 2-50, Record, pp. 1062, 1400.*

Under the earlier practice of the House the motion to lay on the table was admitted after the previous question had been ordered, but later decisions have reversed the practice. (949-952) *1-28, Journal, p. 490, Globe, p. 332; 2-45, Journal, p. 1090, Record, pp. 3438, 3521-3523; 3-55, Record, p. 1662.*

The previous question being demanded on a resolution, and the yeas and nays ordered on that demand, a motion to lay the resolution on table was held not in order. *2-56, Record, p. 555.*

Admitted while the House is acting as in Committee of the Whole. (802) *Jefferson's Manual, Section XXX, p. 172.*

PREVIOUS QUESTION—Continued.

(*a*) ***Rule and practice***—Continued.

During the consideration of a bill in the House as in Committee of the Whole the previous question may be demanded while Members yet desire to offer amendments. (803, 804) *2-44, Record, p. 1321; 1-49, Journal, p. 1412, Record, p. 3893; 3-58, Record, p. 2499.*

The motion for the previous question not in order in Committee of the Whole. (744) *Jefferson's Manual, Section XII, p. 148.*

(*b*) ***By whom moved.***

A Member favoring the bill is entitled to prior recognition to move the previous question. (71) *1-49, Journal, pp. 2225-2227, Record, pp. 7053-7057.*

A Member may not demand the previous question if the Member in charge of the bill claims the floor for debate. (79) *2-55, Record, p. 5763; 2-57, Record, p. 2857.*

A Member having obtained the floor to make a preferential motion, may not thereupon demand the previous question to the exclusion of the Member in charge of the bill. *2-56, Record, p. 3577.*

A Member opposed to a bill, having the floor, may make a motion for the previous question, although the effect of the motion may be to deprive the Member in charge of his control of the bill. *1-56, Record, p. 4864.*

The Member in charge of the bill and having the floor may demand the previous question, although another Member may propose to offer a motion of higher privilege; but the motion of higher privilege must be put before the previous question. (81) *1-52, Journal, p. 288, Record, pp. 6061, 6080.*

If, after debate, the Member in charge of a measure does not move the previous question, another Member, having the floor, may do so. (86) *1-54, Journal, p. 484, Record, p. 5203.*

(*c*) ***Application of.***

The previous question may be asked on a single motion or on a series of motions. (959) *Rule XVII, section 1.*

The previous question may not be ordered at once on two bills. *2-56, Record, p. 454.*

The previous question may be moved on both the motion to refer and on the pending resolution. *2-58, Record, p. 103.*

The previous question applies to a question of privilege as to any other question. (95, 962) *2-27, Journal, pp. 573-576, Globe, pp. 343, 345; 1-28, Journal, p. 882, Globe, p. 579; 3-58, Record, p. 248.*

PREVIOUS QUESTION—Continued.

(*c*) ***Application of***—Continued.

Before rules were adopted it was held in order to demand the previous question on a resolution relating to the order of business. (964) *1-53, Journal, p. 23, Record, p. 1027.*

The previous question may not be applied both to the question of agreeing to a conference report and to the question of asking a further conference on amendments yet in disagreement. (963) *2-51, Journal, p. 346, Record, p. 3711.*

The previous question may be used on a bill considered in the House as in Committee of the Whole. *3-55, Journal, p. 152, Record, p. 1654.*

While the House is proceeding as in Committee of the Whole the previous question may not be moved on a single section of a bill; but it has been decided that it may be moved on a motion to close debate on such section. (805) *2-48, Journal, p. 127, Record, pp. 333-334.*

The previous question may not be asked on a motion to go into Committee of the Whole to consider a general appropriation bill. *3-55, Record, pp. 1995, 1996.*

The motion to close general debate in Committee of the Whole is made pending the motion that the House resolve itself into committee, and though not debatable the previous question is sometimes asked to prevent attempts at amendment of the motion. (915) *2-54, Record, p. 2218.*

The previous question having been ordered on resolutions with a preamble, it was decided that it did not include the preamble. (465) *1-34, Journal, p. 1217, Globe, p. 1642; 1-56, Record, p. 2429.*

In order to prevent amendments the previous question is sometimes ordered on undebatable motions. *2-56, Record, p. 411.*

(*d*) ***Effect of—Generally.***

When the previous question is demanded all debate, even the asking of a question, is precluded. (971) *1-28, Journal, p. 1003.*

After the motion is made for the previous question all incidental questions of order, whether on appeal or otherwise, are decided without debate. (961) *Rule XVII, section 3.*

The previous question being ordered, questions of order are decided without debate. *1-56, Record, p. 5922.*

A motion to amend may not be withdrawn after the previous question is ordered. (932) *1-51, Journal, p. 550, Record, pp. 4026, 4061.*

A motion to amend having been made and the previous question having been moved and seconded, the amendment may not be modified, corrected, or changed except by unanimous consent. (926) *1-28, Journal, p. 811, Globe, p. 530.*

PREVIOUS QUESTION—Continued.

(*d*) ***Effect of—Generally***—Continued.

The previous question being demanded or ordered on a motion to concur in a Senate amendment, a motion to amend is not in order. *2-59, Record, pp. 4511-4513.*

The reading of a report, being in the nature of debate, is not in order after the previous question is ordered. (973, 974) *1-23, Journal, p. 726; 1-49, Record, pp. 7154, 7155.*

Pending the demand for the previous question on the passage of a bill, it is not in order to debate a motion to reconsider the vote on its third reading, but the motion must be disposed of without debate. (972) *1-34, Journal, p. 1009, Globe, pp. 1259, 1260.*

It is not in order to debate a motion to reconsider a vote taken under operation of the previous question. *2-56, Record, p. 2480.*

The previous question having been ordered on a bill and pending amendments, it is not in order to propose a substitute for one of these amendments. (969, 970) *2-51, Journal, p. 63, Record, p. 606; 1-53, Journal, pp. 8, 9.*

While the simple motion to refer a vetoed bill is in order, it is not permissible to move to commit pending the demand for the previous question on the motion to reconsider the bill, or after the previous question is ordered. (1479) *1-47, Journal, p. 1792, Record, p. 6803.*

The right of the Member reporting the measure under consideration from a committee to close the debate, and the relation of that right to the previous question. (866-869) *1-31, Journal, p. 1056, Globe, p. 1308; 2-44, Journal, pp. 201, 202, Record, pp. 544, 708; 1-48, Journal, pp. 338, 389, Record, pp. 466, 1167.*

The previous question having been ordered on the engrossment and third reading of a resolution, it was held that a motion to postpone was not in order until the previous question had been exhausted. (965) *1-49, Record, p. 7393; 3-55, Record, p. 1661.*

As to whether or not it is in order to move a suspension of the rules while the previous question is operating. (1565, 1578) *1-52, Journal, p. 349, Record, p. 6994; 2-33, Journal, p. 564, Globe, pp. 1176, 1177; 1-32, Journal, p. 1116, Globe, p. 2416; 3-34, Journal, p. 386, Globe, p. 631.*

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. *2-56, Record, p. 3594.*

PREVIOUS QUESTION—Continued.

(*e*) ***Effect of—After adjournment.***

When an adjournment takes place after the previous question has been ordered on the passage of a bill, the bill comes up the next morning, and with it any collateral motions that may have been submitted under the rule. (990) *2-52, Journal, p. 49, Record, p. 664; 3-55, Record, p. 1635.*

Several bills coming over with the previous question ordered, the Speaker held that the bill on which the order was first made had precedence. (989) *1-52, Journal, p. 347, Record, p. 6964.*

When the previous question is ordered, whether by vote, by the terms of a special order, or by unanimous consent, and the execution of the order is prevented by adjournment, the question comes up the next day immediately after the reading of the Journal, even though that day be set apart for a different class of business. (983-988) *1-49, Journal, p. 2259, Record, pp. 7154, 7155; 2-50, Journal, pp. 381, 384, Record, pp. 1378, 1379; 1-51, Journal, p. 989, Record, pp. 9181, 9277; 1-52, Journal, p. 149, Record, p. 3359; 2-55, Record, pp. 5294, 6289.*

Bills coming over with the previous question ordered do not lose their privileged position by reason of neglect to call them up. (370) *2-52, Journal, p. 33, Record, p. 381.*

A bill on which the previous question has been ordered takes precedence of a special order, although the latter may provide for immediate consideration. *1-56, Record, p. 6249.*

When the terms of a special order are such as in effect to constitute an order of the previous question, business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. (1270) *2-53, Journal, p. 448, Record, pp. 7596, 7597.*

(*f*) ***Questions in order pending.***

Under certain circumstances the question of consideration has been raised against a bill on which the previous question has been ordered, but this is not the general rule. (815, 816, 827) *2-50, Record, pp. 1062, 1400; 1-48, Record, p. 5543; 2-52, Journal, p. 33, Record, p. 381.*

Pending a demand for the previous question on the motion to adhere, a motion to recede was not entertained. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (74, 1355) *2-50, Record, p. 2454; 2-55, Record, pp. 4041, 4056, 4060, 4062-4064; 3-58, Record, pp. 3883, 3884.*

PREVIOUS QUESTION—Continued.

(*f*) ***Questions in order pending***—Continued.

The right to have read a paper on which the House is to vote may be abrogated by a suspension of the rules, even though the previous question may have been ordered. (1249–1253) *1–32, Journal, p. 1116, Globe, p. 2416; 3–34, Journal, p. 386, Globe, p. 631; 2–35, Journal, p. 572, Globe, p. 1668; 2–38, Journal, pp. 397, 398, Globe, p. 1334; 1–44, Journal, p. 1331, Record, p. 4861.*

It is in order pending the demand for the previous question on the passage of a bill to move the reconsideration of the vote on engrossment. (1221) *2–27, Journal, p. 1175, Globe, p. 799.*

A call of the House is not in order after the previous question has been ordered unless it appears upon an actual count by the Speaker that a quorum is not present. (960) *Rule XVII, section 2.*

Pending the demand for the previous question on the passage of a bill, or even after it is ordered, the reading of the engrossed copy may be demanded. (471) *2–49, Record, p. 1062.*

A conference report is in order pending a demand for the previous question. *3–55, Record, p. 867.*

(*g*) ***Debate after it is ordered.***

Forty minutes of debate are allowed where the previous question has been ordered on a proposition on which there has been no debate. (1558) *Rule XXVIII, section 3.*

The word "proposition" in the rule providing for forty minutes of debate after the previous question is ordered means the main question, and does not refer to incidental motions. (982) *1–54, Journal, p. 535, Record, p. 1342; 1–57, Record, p. 1349; 2–58, Record, p. 476.*

The previous question having been ordered on a conference report relating to a subject which had been debated in the House before being sent to conference, it was held that the forty minutes of debate should not be allowed. (981, 982) *1–54, Journal, p. 535, Record, p. 1342; 2–55, Record, p. 4062; 3–55, Record, p. 2188.*

The previous question having been ordered on a resolution to correct an error in an enrolled bill the forty minutes of debate was not allowed. *2–57, Record, p. 3019.*

A proposition having been debated, and then an amendment having been offered and the previous question ordered on the original proposition and amendment immediately, it was held that the forty minutes of debate could not be had on the amendment. (980) *1–52, Journal, p. 136, Record, p. 3059.*

Debate having been had in the Committee of the Whole, the right to the forty minutes of debate is thereby cut off. (979) *1–52, Journal, p. 173, Record, p. 3930.*

PREVIOUS QUESTION—Continued.

(*g*) ***Debate after it is ordered***—Continued.

When the previous question has been ordered on a proposition, no debate having been had on it in the form in which it is submitted, the question is debatable for forty minutes. (978) *2–50, Journal, p. 384, Record, p. 1381.*

The forty minutes of debate allowed in certain cases after the previous question is ordered should be demanded before division on the main question has begun. *1–57, Record, p. 7777.*

If there has been debate, even though brief, before the previous question is ordered, the forty minutes of debate provided for in Rule XXVIII is precluded. (975–977) *1–51, Journal, p. 555, Record, p. 4086; 2–51, Journal, pp. 178, 182, Record, pp. 1809, 1810, 1831–1833.*

The debate which justifies a refusal of the right to the forty minutes after the previous question is ordered should be on the merits. *2–58, Record, pp. 1199, 1200.*

The previous question being ordered before rules had been adopted for the House, it was held that the provision allowing forty minutes of debate did not apply. (966) *1–51, Record, p. 17.*

(*h*) ***Relation to reconsideration.***

The previous question may not be reconsidered after it has been partly executed. (1203–1204) *1–31, Journal, pp. 1074, 1101, 1398, Globe, p. 1352.*

The previous question having been ordered on a motion and then reconsidered, both the motion for the previous question and the original motion may be withdrawn. (937) *2–53, Journal, p. 345, Record, p. 3911.*

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. (1215–1217) *1–34, Journal, pp. 1476, 1477, Globe, pp. 1525, 2166; 2–53, Journal, pp. 327, 328, Record, pp. 3704–3708.*

The motion to reconsider, and the motion to lay that motion on the table, are admitted while the previous question is operating. *1–56, Record, p. 2795.*

When a vote taken under the operation of the previous question is reconsidered, the question stands divested of the previous question and may be debated and amended. (991–994) *1–27, Journal, pp. 47, 61, 128, 129, Globe, p. 53; 1–33, Journal, p. 127; 3–34, Journal, p. 452, Globe, p. 729; 1–54, Record, p. 3722.*

PREVIOUS QUESTION—Continued.

(*i*) ***When ordered by less than a quorum.***

During a call of the House the previous question may be ordered by less than a quorum. (326) *2–53, Journal, pp. 177, 194, Record, pp. 2297, 2300, 2388.*

It has been decided that less than a quorum might order the previous question on a proposition to secure the attendance of absent Members. (320) *2–53, Journal, p. 3301, Record, pp. 3705, 3716.*

The previous question having been ordered on a bill by unanimous consent in the absence of a quorum, the Speaker on the next day ruled that the action was null and void. (259) *3–42, Journal, p. 447, Globe, p. 1518.*

(*j*) ***In relation to the motion to refer.***

It is in order pending the motion for or after the previous question has been ordered on the passage of a bill to submit a motion to commit with or without instructions to a standing or select committee. (959) *Rule XVII, section 1.*

The motion to refer under Rule XVII may be made pending the demand for the previous question, whether a bill or resolution be under consideration. *2–58, Record, pp. 448, 474, 475.*

The term "bill," as used in Rule XVII, is a generic term, including all legislative propositions, and therefore the motion to recommit applies to resolutions. (458, 1006) *1–48, Journal, p. 1296, Record, p. 4403.*

It is not in order to do indirectly by a motion to recommit with instructions what would not be in order directly as an amendment. (1029, 1031–1039) *1–55, Record, p. 939; 2–55, Record, p. 811; 1–49, Journal, pp. 702, 703, 2363, Record, pp. 1619, 1620, 7613; 1–48, Journal, p. 761; 2–53, Journal, pp. 256–258, 350, 351, Record, pp. 3155, 4011; 1–51, Journal, pp. 984, 985, Record, p. 9105; 1–52, Journal, pp. 86, 87, Record, p. 1698.*

It is not in order to move to recommit a bill with instructions to the committee to report an amendment which is not germane. (1023–1031) *1–48, Journal, pp. 703, 1246, Record, pp. 4256, 4257; 2–35, Journal, p. 389, Globe, pp. 1007, 1009; 2–53, Journal, pp. 446, 453, Record, pp. 6739, 6908; 2–51, Journal, p. 165, Record, p. 1638; 1–55, Record, pp. 939, 1187; 2–55, Record, p. 811.*

The question on the engrossment and third reading of a bill being determined in the negative, the motion to recommit under section 1 of Rule XVII may not be made. (1018, 1019) *3–53, Journal, p. 114; 2–54, Record, pp. 690, 725.*

The motion to commit under section 1 of Rule XVII is not in order before the engrossment and third reading, although the previous question may be ordered on the engrossment and third reading to the passage, at one vote. (1015–1017) *1–54, Record, p. 5753; 2–55, Record, pp. 3015, 4649; 1–56, Record, p. 5921.*

PREVIOUS QUESTION—Continued.

(*j*) ***In relation to the motion to refer***—Continued.

Only one motion to commit is in order pending the demand for the previous question on the passage of a bill or after the previous question is ordered. (1014) *1-48, Record, p. 466, Journal, pp. 338, 339; 1-56, Record, p. 3061.*

The motion to commit under section 1 of Rule XVII may not be subjected to a motion to lay on the table. *1-56, Record, p. 3061.*

Debate is not in order on the motion to refer under section 1 of Rule XVII. *2-58, Record, pp. 4075-4076.*

(*k*) ***In relation to motion to refer—Amendments.***

The motion to commit under section 1 of Rule XVII is amendable under the Rules of the House unless the previous question is ordered upon it. (1011-1013) *1-48, Journal, p. 1430; 1-49, Journal, pp. 378, 379, Record, pp. 694, 695; 3-53, Journal, pp. 28, 29, Record, p. 230; 2-56, Record, p. 2100.*

The previous question being ordered on a motion to concur in a Senate amendment to a House bill, it is in order to commit the bill and amendment to a committee with instructions. (1005) *1-53, Journal, p. 162, Record, p. 3060.*

When the previous question has been ordered on a resolution and a proposed amendment in the nature of a substitute, the motion to recommit is in order after the disposal of the substitute and when the question is pending on the passage. (1007-1009) *1-52, Journal, pp. 154, 155, Record, p. 3538; 1-51, Journal, p. 1014, Record, p. 9749; 1-54, Record, p. 4242.*

The previous question having been ordered on the resolutions in a contested-election case and on a substitute therefor, a motion to recommit with instructions was held in order after the substitute had been voted on and when the question was on the final disposition of the resolutions. (1004) *1-52, Journal, p. 156, Record, pp. 3538-3540.*

(*l*) ***In relation to the motion to refer—Application of, etc.***

Pending the motion for or after the previous question is ordered on a report from the Committee on Rules, the motion to recommit is not admitted under the more recent practice of the House, although the rulings conflict. (1552-1555) *2-53, Journal, pp. 71, 72, 279, 280, Record, pp. 534, 3284; 1-54, Record, pp. 5382, 5469; 1-56, Record, pp. 4032, 6303, Journal, pp. 457, 647; 1-57, Record, pp. 1834, 1835; 2-58, Record, pp. 1523-1525; 3708, 3709.*

The motion to commit provided for in section 1 of Rule XVII may be applied to a motion to amend the Journal. (1001) *2-46, Record, pp. 1814, 1815.*

PREVIOUS QUESTION—Continued.

(*l*) ***In relation to the motion to refer—Application of, etc.***—Continued.

The previous question having been ordered and a motion to recommit having been made pending the vote on the passage, it was held that a motion to lay on the table the motion to recommit was not in order. (1000) *1-52, Journal, pp. 154, 155, Record, p. 3540.*

Before the adoption of rules the motion to recommit is in order pending the demand for the previous question or after it is ordered. (998) *1-53, Journal, pp. 8, 9.*

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. *2-58, Record, p. 5801.*

A bill recommitted under Rule XVII with instructions that it be reported forthwith was, when reported again, passed to be engrossed and read a third time. *2-58, Journal, pp. 225, 227, Record, pp. 1428, 1429, 1469.*

The vote whereby a bill was passed having been reconsidered, amendments having been made, and the third reading ordered again, a motion to recommit was held to be in order, although such a motion had previously been rejected. (997) *1-51, Journal, p. 946, Record, pp. 8473-8476.*

A bill which had been considered in Committee of the Whole and had been recommitted with instructions to strike out a clause was held not subject to the point that it should go to the Committee of the Whole when again reported. (996) *1-49, Journal, pp. 2168-2170, Record, pp. 6757, 6758.*

A bill recommitted with instructions under section 1 of Rule XVII and reported back must again be passed to be engrossed and read a third time; and this having been done, may be again the subject of a motion to recommit when the question recurs on the passage. (996) *1-49, Journal, pp. 2168-2170, Record, pp. 6757, 6758.*

The Committee of the Whole having decided between two propositions, and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit with instructions that in effect brought the two propositions to the decision of the House. *3-55, Record, pp. 2255, 2257.*

The motion to recommit with instructions, made before the engrossment, is cut off by ordering the previous question on the bill to the passage. *3-55, Record, pp. 595, 597*

PRIORITY.

See "Precedence."

PRINT, LEAVE TO.

The House, and not the Speaker, decides whether or not a Member has violated leave given him to print remarks in the Record. (1691–1694) *1–52, Journal, p. 144, Record, pp. 3299–3306; 1–54, Record, pp. 1531, 1532, 5123–5125; 2–55, Record, p. 6799.*

PRINTER, PUBLIC.

The publication by the Public Printer of an article alleged to be for the purpose of exciting unlawful violence among Members has been considered a matter of privilege. (121) *1–33, Journal, p. 695, Globe, p. 1361.*

PRINTING.

The rule regulating the printing of bills, reports, resolutions, and documents. (1746) *Rule XLV.*

The law gives specific directions as to the number of bills to be printed, the ordering of the same, and the publication of documents. (1750) *28 Stat. L., pp. 608–614; 33 Stat. L., pp. 610, 611.*

General provisions of the statutes relating to printing and engraving. (1749) *Revised Statutes, section 3779; 28 Stat. L., pp. 601–624, 962.*

Illustrations in documents or reports are printed only on express authorization of the House. (*33 Stat. L., p. 1213*) *1–59, Record, p. 360.*

Provision as to the printing of preliminary reports for the use of committees. (1750) *28 Stat. L., p. 624.*

Committee on Printing may under certain circumstances order reprint of a public bill. (1750) *28 Stat. L., p. 601.*

General powers and duties of the Joint Committee on Printing. (1749) *28 Stat. L., pp. 601, 962.*

Printing and distribution of eulogies of deceased Members. (1749) *28 Stat. L., p. 616.*

Statute provisions relating to enrollment of bills. (1750) *Supplement Revised Statutes (1892–1895), p. 414; 28 Stat. L., p. 769.*

A report from the Committee on Printing relating to printing for the use of the two Houses does not require consideration in Committee of the Whole. (1747) *1–47, Journal, p. 1728, Record, p. 6481;* see, however, for decision the other way, *2–46, Journal, p. 217.*

No bill reported from a committee for printing and recommitment may be brought back into the House on a motion to reconsider. (1191) *Rule XVIII, section 2.*

A bill reported to the House for printing, and recommitted, is, when reported for consideration, subject to the point of order that it must be considered in Committee of the Whole. (999) *1–51, Journal, p. 830, Record, pp. 701, 5441.*

PRINTING—Continued.

Authority for a standing committee to amend its report and have a reprint made as amended may not be granted by the Committee of the Whole, although such report may be before it for consideration. (736) *2-54, Record, p. 576.*

PRINTING, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (655, 1749) *Rules X, XI, section 57; 28 Stat. L., pp. 601, 962.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

Committee on Printing may under certain circumstances order reprint of a public bill. (1750) *28 Stat. L., p. 601.*

The privilege of the Committee on Printing is confined to printing for the use of the two Houses, and the presence of matter not privileged destroys the privileged character of the report. (419, 420) *1-52, Journal, p. 292, Record, p. 6166; 1-53, Journal, p. 80.*

Joint Committee on Printing have supervision of Congressional Directory. (1760) *Revised Statutes, sections 77, 3801; 22 Stat. L., p. 642.*

PRISONER.

A prisoner being arraigned at the bar, Members may not converse with him. (169) *2-41, Journal, pp. 1199, 1200, Record, pp. 4317, 4325, 4352, 5253.*

PRIVATE BILLS.

(*a*) *Introduction and reference of.*
(*b*) *May not be made general by amendment.*
(*c*) *Distinction between public and private bills.*
(*d*) *Friday is set apart.*
(*e*) *Claims.*

(*a*) ***Introduction and reference of.***

The rule for the introduction of petitions, memorials, and private bills. (448) *Rule XXII, section 1.*

The rule governing the change of reference of private bills. (449) *Rule XXII, section 2.*

The Speaker may withhold such private bills, petitions, and memorials as in his judgment are of an obscene or insulting character. (448) *Rule XXI, section 1.*

A petition or bill excluded under section 1 of Rule XXII is to be returned to the Member presenting it. (449) *Rule XXII, section 2.*

PRIVATE BILLS—Continued.

(*a*) ***Introduction and reference of***—Continued.

The erroneous reference of a private House bill to a committee not entitled to jurisdiction does not confer it, and a point of order is good when the bill comes up for consideration either in the House or in Committee of the Whole. (675–681) *1–53, Journal, pp. 118, 138; 2–53, Journal, p. 492; 3–53, Journal, pp. 15, 70, 71; 2–55, Record, pp. 2483, 2496; 3–58, Record, pp. 379, 393.*

Where the House itself refers a private House bill to a committee, the point of order as to jurisdiction does not avail. *3–58, Record, pp. 2417, 2418; 2–59, Record, p. 1849.*

Bills for the payment or adjudication of private claims against the Government may go only to certain specified committees. (660) *Rule XXI, section 3.*

(*b*) ***May not be made general by amendment.***

To a private bill for the relief of one individual it is not in order to add an amendment for the relief of another individual. (1032, 1075, 1080) *2–32, Journal, p. 414; 1–49, Journal, pp. 702, 703, Record, pp. 1619, 1620; 1–54, Record, p. 4096.*

A private bill for the relief of one individual may not be amended so as to extend its provisions to another individual, even indirectly through a motion to recommit with instructions. (457) *1–49, Journal, pp. 702, 703.*

It is not in order by way of amendment, either directly or indirectly, to convert a public into a private bill. (1033, 1034) *1–48, Journal, p. 761; 2–53, Journal, pp. 350, 351, Record, p. 4011.*

An amendment for the enactment of a general provision of law is not germane to a bill for the relief of a private individual. (1074–1430) *1–31, Journal, p. 784, Globe, p. 714; 1–52, Journal, pp. 311, 312, Record, p. 6474.*

A private bill may not be converted into a public bill by way of recommitment. (460) *1–49, Journal, p. 571, Record, p. 1188.*

(*c*) ***Distinction between private and public bills.***

The distinction between public and private bills. (1428.)

A bill which applies to a class, and not to individuals as such, is a public bill. *1–59, Record, pp. 4521–4524.*

A bill containing among provisions for the relief of private persons one item to pay a claim of a foreign nation was classed as a public bill. *1–59, Record, p. 7857.*

The statutes provide that the term private bills shall mean bills for the relief of private parties, pension bills, and bills removing political disabilities. (455) *28 Stat. L., section 55, p. 609.*

PRIVATE BILLS—Continued.

(*c*) ***Distinction between private and public bills***—Continued.

A bill general in its enactments, though for the benefit of an individual or corporation, is not a private bill. (1429) *2-44, Journal, p. 460, Record, p. 1641.*

A bill pensioning a battalion of volunteers has been held to be a private bill. (1431) *1-54, Record, p. 5598.*

(*d*) ***Friday is set apart.***

Friday of each week is set apart for private business, unless otherwise determined by the House. (1421) *Rule XXVI, section 1.*

Each Friday after the unfinished business is disposed of the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. (1422) *Rule XXIV, section 6.*

If the House negatives the motion to go into the Committee of the Whole House to consider the Private Calendar on Friday, it is in order to proceed with public business as on other days. (1422) *Rule XXIV, section 6.*

The motion to go into Committee of the Whole House to consider business on the Private Calendar may not include a designation of the bills to be considered by the committee. *1-56, Record, pp. 1223, 1224, 2355, Journal, p. 311.*

The House may, by a majority vote, lay aside private business on Friday. (1423-1425) *2-45, Journal, p. 286, Record, p. 570; 1-51, Journal, p. 288, Record, p. 1807; 2-55, Record, pp. 5761, 5762.*

General appropriation bills have a highly privileged character, which continues at all stages, even on Fridays. (413) *1-51, Journal, p. 910, Record, p. 8027.*

A motion to go into Committee of the Whole to consider general appropriation bills is in order Friday as on other days. (392) *1-51, Journal, p. 398, Record, p. 2747.*

The motion to go into Committee of the Whole to consider general appropriation bills has precedence of a motion to go into Committee of the Whole on Friday to consider the Private Calendar. (393, 394) *2-55, Record, pp. 1436, 6077, 6078; 2-56, Record, p. 2476.*

The motion to go into Committee of the Whole House on the state of the Union to consider a bill other than a revenue or general appropriation bill is not privileged on Friday as against private business. (1426) *1-51, Journal, pp. 849, 850, Record, p. 7160; 2-57, Record p. 2425.*

The motion to go into Committee of the Whole House to consider business on the Private Calendar being voted down may not be renewed, as the action was equivalent to dispensing with private business. (1427) *2-52, Journal, p. 17, Record, p. 72.*

PRIVATE BILLS—Continued.

(*d*) *Friday is set apart*—Continued.

The unfinished business of a Friday, whether of a day or evening session, is in order before the motion to go into Committee of the Whole House. (369–373) *1–51, Journal, p. 344, Record, p. 2237; 2–52, Journal, p. 33, Record, p. 381; 1–54, Journal, p. 365, Record, p. 3536; 2–55, Record, pp. 1982, 2737.*

The House having at an evening session set apart for a certain class of business taken a recess until the following day, it was held that the session after the recess was not to be devoted to the same class of business. (1485) *2–48, Journal, pp. 536, 537, Record, p. 1669.*

While a motion to suspend the rules was under debate the Speaker declined to declare the House in recess at 5 p. m. Friday. (1593) *1–52, Journal, pp. 274, 277, Record, p. 5919.*

In considering bills on the Calendar of the Committee of the Whole House it is in order, upon a motion made and carried, to take up a bill out of its order. (740) *1–54, Record, p. 5589.*

When a motion to reconsider relates to a bill belonging to a particular class of business the consideration of the motion is in order only when that class of business is in order, reconsideration of a public bill not being in order on private-bill day. (1219, 1220) *2–52, Journal, pp. 13, 14, Record, p. 34; 1–54, Record, p. 5298.*

A special order providing for the consideration of a bill from day to day until disposed of includes Fridays, unless exception of that day is specially made. (1295, 1296) *1–32, Journal, pp. 401, 433; 2–48, Journal, p. 136, Record, pp. 364, 365.*

Two days having been assigned a committee generally for consideration of its business, it was held that they should be days on which public business would be in order. (1297) *1–51, Journal, p. 315, Record, p. 2012.*

Each Friday at 5 p. m. the House takes a recess until 8 p. m. for an evening session for consideration of private pension bills and bills removing charges of desertion and political disabilities. (1438) *Rule XXVI, section 2.*

By special order during this Congress Friday evening sessions are discontinued and bills granting pensions and removing charges of desertion are considered on the second and fourth Fridays of each month. *Rule XXVI, section 2 (note).*

A private bill is in order for consideration at a Friday evening session, although it may previously have been made a special order by the House. (1298) *2–51, Journal, p. 280, Record, p. 3043.*

Friday being taken by order of the House for business other than the regular order, the evening session was thereby vacated. (1439) *1–52, Journal, pp. 274–277, Record, p. 5919.*

PRIVATE BILLS—Continued.

(*e*) *Claims.*

By special order during this Congress bills reported from the Committee on Claims and War Claims alternate in priority on Fridays other than the second and fourth of each month. *Rule XXVI, section 1 (note).*

The relations of the House with the Court of Claims. (1437) *22 Stat. L., p. 485; 24 Stat. L., p. 505.*

A resolution sending a series of claims to the Court of Claims was held to be in order on the Private Calendar. (1432) *2-53, Record, pp. 5279, 5286.*

Reports of findings of fact from the Court of Claims are referred to the committee having original jurisdiction in the matter. (1433) *1-50, Record, p. 110.*

Taking of testimony on private claims. (1779) *20 Stat. L., p. 278.*

PRIVATE CALENDAR.

See "Calendars."

PRIVATE LAND CLAIMS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (641) *Rules X, XI, section 33.*

PRIVATE SECRETARIES OF PRESIDENT AND VICE-PRESIDENT.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

PRIVILEGE.

(*a*) *General provisions relating thereto.*
(*b*) *Raising question of.*
(*c*) *In relation to Members.*
(*d*) *Precedence of questions of.*
(*e*) *Speaker and the House determine cases of.*
(*f*) *Personal privilege.*
(*g*) *Relating to organization and membership.*
(*h*) *Relating to authority of the House.*
(*i*) *Relating to procedure of the House.*
(*j*) *Reports of debates, etc.*
(*k*) *General cases of.*
(*l*) *Impeachments.*
(*m*) *Member's right to his seat.*
(*n*) *Duels, assaults, affrays, etc.*
(*o*) *What are not cases of.*
(*p*) *Relating particularly to the Constitution.* See "Constitutional privilege."

PRIVILEGE—Continued.

(*a*) ***General provisions relating thereto.***

Provisions of the Constitution, and rules relating to privilege. (91–94) *Constitution, Article I, sections 5, 6, p. 6; Jefferson's Manual, Section III, pp. 130–138, Section XXXIII, p. 184; Rule IX.*

Privilege as explained and defined by Jefferson's Manual. (92) *Jefferson's Manual, Section III, pp. 130–138.*

A Member is entitled to but one hour to debate a question of privilege. (844) *1–51, Journal, p. 1013, Record, p. 9679.*

The previous question applies to a question of privilege as to any other question. (95, 962) *2–27, Journal, pp. 573, 576, Globe, pp. 343, 345; 1–28, Journal, p. 382, Globe, p. 579; 3–58, Record, p. 248.*

It is not in order to amend a pending privileged proposition by adding instructions to a committee on a matter not privileged and not germane to the original proposition. (1078) *1–48, Journal, p. 389.*

The including of matter not privileged destroys the privileged character of a proposition. *2–58, Journal, p. 89, Record, pp. 444–446.*

A legislative proposition presented in obedience to a mandatory provision of the Constitution was held to involve a question of privilege. *2–56, Journal, pp. 80, 81, Record, pp. 520–522.*

(*b*) ***Raising question of.***

Questions of privilege are brought at once to the attention of the House, although it has in a few instances been held that they should go to committees like other business. (93, 110, 112, 115, 116, 140) *Jefferson's Manual, Section XXXIII, p. 184; 2–31, Journal, p. 119, Globe, p. 190; 1–48, Record, p. 5299; 1–51, Journal, p. 22, Record, p. 196; 1–53, Journal, p. 159; 2–53, Journal, pp. 43, 44, Record, pp. 397–400.*

A question of privilege may be based on a communication received by telegraph. (177) *2–44, Journal, p. 133, Record, p. 353.*

It has been held that a question of privilege may be raised in Committee of the Whole if it arise out of occurrences in the committee. (178–181) *1–31, Globe, p. 1475; 1–51, Record, pp. 3826, 4858–4860; 1–52, Record, p. 3116; 2–55, Record, p. 3233; 3–55, Record, p. 1279.*

A matter alleged to have arisen in Committee of the Whole, but not reported by the Chairman, may not be brought to the attention of the House on the claim that a question of privilege is involved. *1–56, Record, p. 4730.*

A Committee of the Whole has directed its Chairman to report not only the bill under consideration, but a resolution describing and proposing action in relation to an alleged breach of privilege. *2–56, Record, p. 2285.*

PRIVILEGE—Continued.

(*b*) ***Raising question of***—Continued.

During a call of the House, when a quorum is not present, a question of privilege may not be presented unless it be something connected immediately with the proceedings. (182) *2-52, Journal, p. 105, Record, p. 1964.*

A question of privilege pending at an adjournment does not come up on the succeeding day as unfinished business unless called up. (186) *1-53, Journal, p. 114.*

The question of consideration may be raised against a matter of privilege. (112) *1-48, Record, p. 5299.*

The question of consideration may be demanded against a question of the highest privilege, such as the right of a Member to his seat. (817, 818) *1-35, Journal, pp. 1083, 1085; 1-54, Record, pp. 6283, 6299.*

A matter of privilege may be called up again, and again be subjected to the question of consideration, although previously, on the same day, this question may have been decided against it. (818) *1-54, Record, pp. 6283, 6299.*

(*c*) ***In relation to Members.***

A Member having stated, upon the authority of "common rumor," that another Member had been menaced, the Speaker decided that a question of privilege was raised. (97) *1-30, Journal, pp. 712, 720.*

A general charge of violation of law by Members, although not specifying the offense as within the existing term of service, was held to present a question of privilege. *2-58, Journal, p. 89, Record, pp. 446, 447.*

A newspaper article charging Members of the House generally with abuse of the franking privilege was held to involve a question of privilege. *1-59, Record, pp. 692, 693.*

A Member having been arrested and detained on civil process, the House liberated him and restored him to his seat by the hands of its own officer. (153) *2-39, Journal, pp. 103, 105, Globe, pp. 51, 225.*

Decision of Judge Dyer as to the privilege of a Member going to and returning from the sessions of the House. (154) *24 Fed. Law Rep., p. 387.*

A resolution presented as a matter of privilege relating to the right of a Member should show upon its face its privileged character. (203) *2-53, Journal, p. 229, Record, p. 2629.*

Question as to proper procedure when the course of an investigation before a committee implicates a Member. (166) *2-25, Globe, pp. 200, 201, 320, 329, 494.*

PRIVILEGE—Continued.

(*c*) ***In relation to Members***—Continued.

In dealing with a prisoner at the bar, the House may not go beyond the terms of the order of arrest. (122) *2-41, Journal, pp. 957, 961, 962, 1068, Record, pp. 4315, 4318, 4320, 4692.*

Member may not be tried or punished by the House for an offense alleged to have been committed before his election. (31) *1-44, House Report No. 815.*

A proposition to investigate the propriety merely of a citizen's conduct at the time before he became a Member, may not be presented as a question of privilege. *2-58, Journal, pp. 693, 694; Record, pp. 5655, 5657, 5750, 5751.*

Penalties are provided for attempts to bribe Members, and a Member may not be interested in a public contract. (29) *Revised Statutes, sections 1781, 1782, 3739-3742, 5450, 5500.*

(*d*) ***Precedence of questions of.***

The rule defining questions of privilege and giving them preference over all motions but the motion to adjourn. (94) *Rule IX.*

A question of privilege arising from a quarrel or other cause must be at once disposed of. (93) *Jefferson's Manual, Section XXXIII, p. 184.*

Whenever a question of privilege is called for it must be taken up, although it may be postponed by a vote of the House. (110) *2-31, Journal, 119, Globe, 190.*

While a question of privilege is pending, a message from the President may be received, but may not be acted on. (436-438) *2-25, Journal, p. 817, Globe, p. 334; 2-53, Journal, pp. 292, 293, 295, Record, pp. 3351-3353.*

While a question of privilege is pending, a veto message from the President may be received and read, but not acted on. (437, 438) *2-53, Journal, pp. 292, 293, 295, Record, pp. 3351-3353.*

While a question of privilege is pending, the reading of a message from the President is in order only by unanimous consent. (1453) *3-34, Journal, p. 48, Globe, p. 38.*

The question as to whether or not a question of privilege should have precedence of a report from the Committee on Rules. (1549-1551) *2-53, Journal, pp. 71, 72, 132, Record, pp. 485, 527, 1809.*

A conference report has been given precedence over a question of privilege. (1397) *1-51, Journal, p. 1082, Record, pp. 10444, 10445.* See, however, (100) *1-51, Journal, pp. 936, 937, Record, pp. 8373, 8375.*

A roll call may not be interrupted for debate, even for the presentation of a case of personal privilege. (1167, 1168) *1-31, Globe, p. 1686; 1-51, Journal, pp. 936, 937, Record, pp. 8345, 8352, 8373.*

PRIVILEGE—Continued.

(*d*) ***Precedence of questions of***—Continued.

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. (1215–1217) *1–34, Journal, pp. 1476, 1477, Globe, pp. 1525, 2166; 2–53, Journal, pp. 327, 328, Record, pp. 3704–3708.*

A question of privilege has precedence at a time set apart by special order for other business. (100) *1–51, Journal, pp. 936, 937, Record, pp. 8373, 8375.*

A question of privilege does not lose its privilege through any informality in the method of reporting it from a committee. (423) *2–53, Journal, pp. 50, 51, Record, p. 471.*

A question as to the constitutionality and propriety of a continuing order of arrest was held not to supersede a motion to discharge the Sergeant-at-Arms from further execution of the order. (204) *2–53, Journal, pp. 337, 338, Record, p. 3795.*

A question of high privilege being before the House, the Speaker held generally that a motion to suspend the rules was not in order while the other motion was pending. (1604) *2–48, Record, p. 2565.*

A question of personal privilege has been given precedence over privileged Senate amendments remaining to be disposed of after the rejection of a conference report. *2–56, Journal, pp. 281, 282, Record, p. 3092.*

(*e*) ***Speaker and the House determine cases of.***

The Speaker passes upon questions presented as questions of privilege before submitting them to the House. (191) *2–33, Journal, p. 451, Globe, p. 930.*

Decisions as to the duty of the Speaker in determining whether or not motions presented as questions of privilege should be entertained and submitted to the House. (133–135) *2–27, Journal, p. 287, Globe, pp. 195, 196; 2–45, Journal, p. 1303, Record, pp. 4605–4614; 2–48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962.*

It has been decided that it was for the House, and not the Speaker, to decide whether or not a question of privilege was involved. (96, 97, 137) *1–29, Journal, p. 223; 1–30, Journal, pp. 712, 720; 3–27, Journal, p. 46, Globe, pp. 47, 48.*

While the Speaker should not entertain every motion which may be offered as matter of privilege, he should submit to the House whatever relates to the privileges of the House or a Member. (98) *1–31, Journal, p. 1079.*

PRIVILEGE—Continued.

(*e*) ***Speaker and the House determine cases of***—Continued.

A matter being presented as a question of privilege, the Speaker may decline to entertain it unless in his judgment it relates to the privileges of the House or its Members, in which case it must be entertained in preference to any other business. (150) *1-29, Journal, p. 724, Globe, p. 734.*

(*f*) ***Personal privilege.***

Language which may be replied to as a matter of personal privilege must reflect upon the Representative in his capacity as a Representative. (185) *2-52, Journal, p. 106, Record, p. 1979; 2-56, Record, pp. 2276-2278.*

In presenting a question of personal privilege, a Member is not required in the first instance to make a motion or offer a resolution; but such is not the rule in presenting a case involving the privileges of the House. (194) *1-49, Journal, pp. 514, 515, Record, pp. 1027, 1028; 1-58, Record, pp. 233, 234.*

A Member rising to a question of personal privilege, and requesting the reading of a paper, should state his belief that it involves a question of privilege; then it should be read to enable the Speaker and House to decide. (194) *1-49, Journal, pp. 514, 515, Record, pp. 1027, 1028.*

A Member making a statement in a matter of personal privilege should confine his remarks to the matter which concerns himself personally. (905) *1-52, Journal, p. 142, Record, p. 3213.*

In presenting a case of personal privilege arising out of charges made against him, the Member must confine himself to the charges. (106) *2-55, Record, p. 5056.*

While a Member rising to a question of personal privilege may be allowed some latitude in developing the case, yet the rule requiring the Member to confine himself to the subject holds in this case as in other cases. (878, 879) *1-51, Journal, pp. 992, 1015; Record, pp. 9189, 9191, 9676.*

A Member rising to a question of personal privilege was not permitted to take from the floor another Member who had been recognized for debate. *1-59, Record, p. 7624.*

The roll call may not be interrupted either for a parliamentary inquiry or a question of personal privilege. *1-57, Record, p. 3810.*

A Member whose motives have been impugned in the Senate may refer to the proceedings in that body sufficiently to explain his own motives; but may not under the rights of privilege bring into discussion the whole merits of the controversy. (102) *1-52, Journal, p. 354.*

PRIVILEGE—Continued.

(*f*) ***Personal privilege***—Continued.

A question of personal privilege is not in order at a session devoted by order of the House to debate alone. (105) *1-54, Record, p. 1457.*

A difference of opinion as to historical facts—a Member not having made a false statement knowingly with intent to deceive the House—does not give rise to a question of personal privilege. (183) *1-49, Journal, p. 490, Record, p. 925.*

A question of privilege relating to the conduct of several Members, being before the House, one of them may not claim the floor by asserting a question of personal privilege. *2-89, Record, pp. 3051, 3064.*

Reference in debate to a Member as a source of information gives the Member no claim to the floor for a question of personal privilege. *1-57, Record, pp. 5365, 5366.*

A Member may not present, as involving a question of personal privilege, a newspaper criticism of his relations with other Members or the Speaker. *2-58, Record, p. 287.*

A newspaper article in the nature of criticism of a Member's acts in the House does not present a question of personal privilege. *2-58, Record, p. 1469; 1-59, Record, pp. 6199, 6200.*

A newspaper charge that a Member had been influenced in his action as a Representative by the Speaker was held to involve a question of personal privilege. *1-57, Record, p. 2927.*

A declaration in a newspaper interview by one Member that another Member had broken a party agreement was held to involve no question of personal privilege. *1-59, Record, pp. 305-306.*

A controversy between a Member and the officials of one of the Executive Departments as to a question of administration of the duties of that department was held to involve no question of personal privilege. *1-57, Record, pp. 443-445, Journal, p. 165.*

A Member may not have the record of his vote changed in the Journal upon the statement that he voted upon a misapprehension of the question, and a motion relating thereto is not privileged. (1180) *1-31, Journal, p. 1266, Globe, p. 1577.*

(*g*) ***Relating to organization and membership.***

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. (58) *2-44, Journal, p. 8, Record, p. 5.*

The election of the Clerk of the House presents a question of privilege. (127) *1-31, Journal, p. 789.*

The election of a Chaplain has been held to constitute a question of privilege. (1723) *1-36, Journal, pp. 442, 443, Globe, p. 992.*

PRIVILEGE—Continued.

(*g*) ***Relating to organization and membership***—Continued.

A subject relating to the convenience of Members and comfort of employees presents a question of privilege. (128) *1-47, Journal, p. 1469, Record, p. 4846.*

A resolution from the Committee on Ventilation and Acoustics relating to the comfort of Members in the Hall was presented as a question of privilege and received as such. (1738) *2-53, Journal, p. 421, Record, pp. 5924, 5989.*

Subjects relating to the convenience of Members are not necessarily entertained as matters of privilege. *1-58, Journal, p. 82, Record, p. 389.*

A resolution from the Committee on Accounts relating to management of the House restaurant was not received as a matter of privilege. *2-58, Record, p. 5581.*

A resolution relating to storage of records in custody of House with view to securing more committee rooms was presented as privileged. (1078) *1-48, Journal, p. 389.*

A bill making an apportionment of Representatives presents a privileged question. (1774) *2-51, Journal, p. 59, Record, p. 530.*

Questions of privilege involved in alleged misconduct of an officer or employees of the House. (132) *1-44, Journal, pp. 868, 948, Record, p. 2771.*

Arrest of one of its officers a high breach of privilege of the House. (43, footnote) *2-6, Annals, p. 887-890.*

A citizen who declined to testify concerning a betrayal of the secrets of the House was committed to the custody of the Sergeant-at-Arms. (159) *1-12, Journal, pp. 276, 277, 280, Annals, p. 1266.*

The mandate of a court to Members of the House requiring them to produce in court certain papers in possession of a committee of the House was held to be a breach of privilege. (142) *1-44, Journal, p. 528, Globe, pp. 1522, 1538.*

An appeal of a Member to the President for protection was considered derogatory to the privileges of the House. (158) *1-6, Annals, pp. 374, 378, 387, 426, 506; American State Papers, Miscel., vol. 1, p. 196.*

An attempt having been made in 1795 to bribe its Members, the House vindicated its privileges by immediate arrest, trial, and imprisonment of the offender. (155) *1-4, Journal, pp. 389, 407.*

The House having arrested and punished John Anderson for an attempt to bribe a Member, the Supreme Court affirmed the right of the House so to do. (160) *6 Wheaton, 204.*

PRIVILEGE—Continued.

(*h*) ***Relating to authority of the House.***

A protest by the President against certain proceedings of the House was declared a breach of privilege. (136) *2-27, Journal, p. 1459, Globe, pp. 894, 973, 974.*

It was decided in the case of Kilbourn *v.* Thompson that the House has no general power to punish for contempt. (176) *103 U. S., 168.*

The question as to the invasion of the privileges of the House when the Senate has originated revenue bills. (133-135) *2-27, Journal, p. 287, Globe, pp. 195, 196; 2-45, Journal, p. 1303, Record, pp. 4605-4614; 2-48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962.*

To justify a question of privilege an invasion of the prerogatives of the House must be alleged to be actual, not prospective. *1-57, Journal, pp. 287, 288, Record, pp. 1181-1184.*

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. (139) *2-49, Journal, pp. 349, 350, Record, p. 917.*

A point of order relating to the constitutional privilege of the House may be made at any time. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

It is for the House and not the Speaker to decide whether or not a Senate amendment to a revenue bill violates the privileges of the House. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

Questions of privilege have frequently arisen over the failure or refusal of witnesses to appear before committees of the House, or their refusal to testify when they have appeared. (170, 175) *2-33, Journal, p. 315; 3-34, Journal, p. 241, Globe, p. 356; 1-35, Journal, p. 821, Globe, pp. 684, 715, 1240; 1-35, Journal, pp. 258, 371, 750; 2-35, Journal, pp. 411, 430, 451; 3-40, Journal, pp. 226, 250, Globe, pp. 687, 720.*

The case of Wolcott, a contumacious witness, was certified to the district attorney. (172) *1-35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

A resolution relating to a recalcitrant witness imprisoned by order of the House presents a question of privilege. (172) *1-35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

A Member having defied the authority of the Chairman of the Committee of the Whole, the matter was treated as a question of privilege. (1632) *1-24, Journal, pp. 1209, 1225, Globe, p. 484.*

(*i*) ***Relating to procedure of the House.***

An alleged violation of the rule relating to admission to the floor is a question of privilege. (129) *1-49, Journal, p. 781, Record, p. 1905.*

A charge by a Member that the Journal of the House has been mutilated by the Speaker was made a question of privilege. (130) *1-31, Journal, p. 713.*

PRIVILEGE—Continued.

(*i*) ***Relating to procedure of the House***—Continued.

The fraudulent introduction of a bill was held to involve a question of privilege. *1-59, Record, pp. 2149, 2150, 3067.*

The alleged improper alteration of a bill presents a question of privilege. (131) *1-33, Journal, p. 1194.*

The printing of an argument with the text of a bill was held to involve a question of privilege, and the House ordered the objectionable portions stricken out. *1-56, Record, pp. 788, 789, Journal, p. 152.*

The correction of the reference of a public bill presents a question of privilege. (125) *2-46, Journal, pp. 842-877, Record, pp. 1804, 1817, 1844, 1846.*

A motion to correct an error in referring a bill to the proper Calendar presents a question of privilege. (126) *2-50, Journal, p. 534, Record, pp. 2020, 2021; 1-59, Record, pp. 4521, 4524.*

A resolution relating to an alleged abuse of the privileges of the floor does not present a question of higher privilege than a contested-election case. (439) *1-48, Record, p. 4406.*

The House having made a continuing order of arrest, a motion on the succeeding day that the Sergeant-at-Arms be summoned to report his action was ruled not to be a question of privilege. (201) *2-53, Journal, p. 149, Record, p. 2034.*

A bill relating to the taking of the census was held to be privileged because of the constitutional requirement. *1-56, Record, p. 884, Journal, p. 166.*

A Member has not the right, without a question put, to have a book or paper read on suggesting that it contains matter infringing on the privileges of the House. (1237) *Jefferson's Manual, Section XXXII, p. 174.*

A report having been ordered to be made by a committee, but not being made within a reasonable time, a resolution relating thereto was decided to be privileged. (125a) *2-51, Journal, p. 174, Record, p. 1789.*

A conference report having been agreed to, it is too late to raise, as a matter of privilege, a question as to whether or not the managers have exceeded their authority. *1-57, Record, pp. 2527, 2528.*

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a question of privilege. (426-430) *1-47, Journal, p. 1124, Record, p. 3275; 1-49, Journal, p. 1420, Record, p. 3929, 3930; 2-51, Record, pp. 2456, 2457; 1-52, Journal, pp. 107, 296, Record, pp. 2192, 6218.*

PRIVILEGE—Continued.

(*i*) ***Relating to procedure of the House***—Continued.

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. (431) *1-53, Journal, pp. 106, 107.*

(*j*) ***Reports of debates, etc.***

A question as to the accuracy or propriety of anything contained in the official records of debates may be submitted to the House as a matter of privilege. (117, 119) *2-48, Journal, pp. 73, 74, Record, p. 205; 1-49, Journal, p. 1835, Record, pp. 5416, 5420.*

A resolution to correct the Congressional Record is privileged, and such correction is not within control of the Speaker. *1-57, Record, p. 2524.*

A resolution to omit from the Congressional Record certain remarks declared out of order does not present a question of privilege. (118) *2-48, Journal, p. 356, Record, p. 1024.*

A resolution to expunge a speech from the Record must be entertained as a matter of privilege, but this does not necessarily entitle the Member implicated to the floor on a question of personal privilege. (119) *1-49, Journal, p. 1835, Record, pp. 5416, 5420.*

A resolution as to an alleged false and scandalous report of the proceedings of the House by one of its reporters presented as a matter of privilege. (120) *2-29, Journal, p. 320, Globe, p. 359.*

It is improper for a Member to have published in the Record the individual votes of Members on a question upon which the yeas and nays have not been entered on the Journal. (104) *2-53, Journal, p. 244, Record, p. 2905.*

A question of privilege as to an alleged error in the Record may not be raised until the Record has appeared. *1-56, Record, p. 4616.*

An error in the Congressional Record having been corrected, a question of privilege may not arise therefrom. (198) *1-52, Journal, p. 340, Record, p. 6896.*

A resolution relating to the distribution of the Congressional Record does not present a question of privilege. (213) *2-54, Record, p. 1632.*

A Member having announced his intention to publish in the Record certain extracts, but not having obtained leave of the House, the refusal of the proposed insertion violates no privilege. (186) *1-53, Journal, p. 114.*

The publication by the Public Printer of an article alleged to be for the purpose of exciting unlawful violence among Members has been considered a matter of privilege. (121) *1-33, Journal, p. 965, Globe, p. 1361.*

PRIVILEGE—Continued.

(*j*) ***Reports of debates, etc.***—Continued.

Alleged libelous statement of a reporter being made a subject of privilege, the reporter was at once arrested, brought to the bar of the House, and interrogated. (122) *2-41, Journal, pp. 957, 961, 962, 1068, Record, pp. 4315, 4318, 4320, 4692.*

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, brought before the House as a matter of privilege. (123) *1-48, Journal, p. 444, Record, p. 741.*

A newspaper having attributed to a Member certain remarks which he denied having used, it was decided that no question of privilege was involved. (188) *2-53, Journal, p. 480.*

(*k*) ***General cases of.***

A newspaper allegation that a certain number of Representatives (names not given) had entered into a corrupt speculation was decided by the House to involve a question of privilege. (101) *2-51, Journal, p. 120, Record, pp. 1196-1200.* But vague charges of corruption against Members generally were held not to involve a question of privilege. (184) *1-51, Journal, p. 108, Record, p. 7976.*

A newspaper article criticising Members generally involves no question of privilege. *1-57, Record, p. 4578.*

The publication by a Member of alleged false and scandalous charges against the House and its Members involves a question of privilege. (103) *1-52, Journal, p. 345.*

Charges alleged to have been made against Members in the report of an agent of a foreign power, and presented by a Member, were held to involve a question of privilege. *1-57, Journal, p. 530, Record, pp. 3330-3332.*

General charges that attempts are being made through public sentiment to influence the House do not give rise to a question of privilege. *1-57, Record, p. 2639.*

A declaration on the floor of the House that a statement made by a Member on his own responsibility is false presents a question of privilege. (99) *1-49, Record, p. 5516.*

An explanation having been demanded of a Member for a question asked during a trial for contempt, the House did not take up the matter as a question of privilege. (163) *1-22, Journal, p. 740, Debates, pp. 3023-3036.*

A bill to amend the law in relation to vacancies in the offices of President and Vice-President was treated as highly privileged. (143) *2-44, Journal, pp. 555, 556, Record, p. 1980.*

PRIVILEGE—Continued.

(*k*) ***General cases of***—Continued.

A Speaker, having been accused of a corrupt bargain by a Member, appealed to the House. (149) *2-18, Debates, pp. 440-523.*

The Speaker has spoken briefly from the chair on a question of privilege relating to himself. *1-57, Record, pp. 2876-2877.*

An alleged corrupt combination on the part of certain Members constituted a question of privilege. (151) *3-34, Journal, pp. 475, 476, Globe, pp. 764, 766.*

A resolution that the rights and dignity of the House have been invaded by the Executive presents a question of privilege. (140) *2-53, Journal, pp. 43, 44, Record, pp. 397-400.*

Language used in the House and published in the Congressional Record reflecting upon the Senate and Senators presents a question of privilege. (141) *1-51, Journal, pp. 1041, 1044, Record, pp. 10068, 10101.*

A motion to discharge a committee from the consideration of a vetoed bill presents a question of privilege and is in order at any time. (124) *1-49, Journal, p. 2397, Record, p. 7699.*

(*l*) ***Impeachments.***

A proposition to impeach a civil officer of the United States is privileged. (144-148) *3-27, Journal, p. 159, Globe, p. 145; 2-39, Journal, p. 121, Globe, p. 320; 2-48, Journal, pp. 27, 28, Record, pp. 17-19; 1-54, Journal, p. 37, Record, p. 115; 1-48, Journal, p. 495, Record, p. 871.*

A report on the subject of an impeachment being laid on the table, the right to move an impeachment in the same case is not thereby precluded. (958) *2-40, Globe, p. 65.*

An impeachment having been begun in the preceding Congress, a resolution for reviving the proceedings was held to be privileged. (684) *1-46, Journal, pp. 442, 443, Record, pp. 1774, 1775.*

No Member on the floor having preferred articles of impeachment against a civil officer, a resolution to investigate is not privileged. (148) *1-48, Journal, p. 495, Record, p. 871.*

The right of a Member to his seat presents a question of privilege and takes precedence of other business. (107-116) *1-26, Journal, pp. 1283, 1300; 1-29, Journal, p. 201, Globe, p. 158; 1-31, Journal, p. 1065, Globe, pp. 1315, 1317; 2-31, Journal, p. 119, Globe, p. 190; 2-44, Journal, p. 15, Record, p. 11; 1-48, Record, p. 5299; 1-49, Record, p. 7403; 1-53, Journal, pp. 157, 159; 1-51, Journal, p. 22, Record, p. 196.*

A resolution for the employment of a handwriting expert in an election case was admitted as privileged. *2-58, Record, p. 721, Journal, p. 142.*

PRIVILEGE—Continued.

(*m*) ***Member's right to his seat.***

The right of a Member to his seat may come up at any time as a question of privilege, even though the subject has been referred to a committee. (112) *1-48, Record, p. 5299.*

The question whether or not a Member's right to his seat, being a matter of privilege, need necessarily be first determined by a committee. (115, 116) *1-51, Journal, p. 22, Record, p. 196; 1-53, Journal, p. 159.*

A motion to discharge a committee from the consideration of a contested-election case presents a question of the highest privilege. (113) *1-49, Record, p. 7403.*

Pending the decision of so high a question of privilege as the right of a Member to his seat, a motion to suspend the rules is not in order. (111) *2-44, Journal, p. 15, Record, p. 11.*

A resolution providing for an investigation of the election of a Member presents a question of privilege. (114) *1-53, Journal, p. 157.*

(*n*) ***Duels, assaults, affrays, etc.***

For assaulting a Member for words spoken in debate Samuel Houston was in 1832 arrested at once, tried, and censured by the House for invading its rights and privileges. (162) *1-22, Journal, pp. 590, 593, 595, 600, 604, 610, 713, 725, 730, 736, Debates, pp. 2511, 2534, 2540, 2548, 2550, 2563, 2822, 2839.*

One reporter having assaulted another in the presence of the House, punishment for breach of privilege was inflicted. (165) *1-24, Journal, pp. 983, 985, 1021, Globe, pp. 436, 437, 450.*

The reading of the Journal being interrupted by an assault, it was concluded after the offender had been taken into custody by order of the House. (165) *1-24, Journal, pp. 983, 985, 1021, Globe, pp. 436, 437, 450.*

An assault by a Member of the House upon a Senator at his seat in the Senate was determined to be a breach of the privileges of the House as well as of the Senate. (167) *1-34, Journal, pp. 1023, 1029, 1076, 1077, 1185-1187, 1193-1194, 1197-1201, 1205-1221, Globe, pp. 1290, 1348-1352, 1578.*

A question of privilege presented by an assault by one Member upon another on their way to the Capitol. (168) *1-34, Journal, pp. 1527, 1589, Globe, p. 2238.*

A Member absent by leave of the House and on his return thither being assaulted, the assailant was arrested and imprisoned for a term extending beyond the adjournment of the session. (169) *2-41, Journal, pp. 1199, 1200, Record, pp. 4317, 4325, 4352, 5253.*

PRIVILEGE—Continued.

(*n*) ***Duels, assaults, affrays, etc.***—Continued.

Warm words and an assault between two Members in Committee of the Whole were treated as a breach of privilege. (1628, 1629, 1630) *2-25, Journal, p. 1013, Globe, p. 422; 1-26, Journal, p. 814, Globe, pp. 343, 394-396, 398; 1-28, Journal, p. 846, Globe, pp. 552, 577, 578, 604.*

An assault by one Member upon another was acted upon as a question of privilege in 1798. (157) *1-5, Journal, pp. 154, 185, Annals, pp. 961, 964, 972, 979, 1034.*

The Graves-Cilley duel, being occasioned by a question as to words spoken in debate, involved a breach of privilege. (166) *2-25, Journal, pp. 501, 502, 811, 858, 860, 861, Globe, pp. 200, 201, 320, 329, 494.*

Challenge of a Member by a Senator in 1796 was determined to be a breach of the privileges of the House. (156) *1-4, Journal, pp. 470-474, Annals, pp. 786-795.*

An assault upon one of the police of the Capitol within the precincts of the Capitol has been treated as a question of privilege. (1630) *1-28, Journal, p. 846, Globe, pp. 552, 577, 578, 604.*

The assault upon the private secretary of the President in the Capitol in 1828. (161) *1-20, Debates, p. 2715.*

It being doubtful whether or not an assault on a Member had been for words spoken in debate, no action was taken. (164) *2-23, Journal, pp. 485, 489, 518, Globe, p. 314.*

(*o*) ***What are not cases of.***

A resolution recommending the recall of a foreign minister of the United States does not present a question of privilege. (202) *2-53, Journal, p. 203, Record, p. 2425.*

Subjects relating to the relations of the United States with other nations or peoples do not therefore involve questions of privilege. (206-210) *2-53, Journal, pp. 50, 51, 520, 521, Record, pp. 468, 8003; 1-55, Record, pp. 1305, 1386, 1459; 2-55, Record, p. 3381.*

A proposition to investigate alleged unnecessary violence of policemen toward citizens on the Capitol grounds was ruled not to present a question of privilege. (205) *2-53, Journal, p. 369, Record, p. 4335.*

A charge that a committee had been inactive in regard to a measure committed to it was decided not to constitute a question of privilege. (211) *2-53, Journal, p. 552, Record, p. 8339.*

The charge that a committee has reported a bill containing items of appropriation not in order under the rules does not present a question of privilege. (212) *2-54, Record, p. 2100.*

PRIVILEGE—Continued.

(*o*) ***What are not cases of***—Continued.

A newspaper article vaguely charging Members of Congress generally with corruption may not be brought before the House as involving a question of privilege. (184) *1-51, Journal, p. 908, Record, p. 7976.* But charges more specific have been considered as involving privilege. (101) *2-51, Journal, p. 120, Record, pp. 1196-1200.*

A newspaper publication stating that a certain Member will unite with others in opposition to a matter coming up in the House at a future time does not present a question of personal privilege. (190) *1-55, Record, p. 747.*

A difference as to matters of fact involves no question of privilege. (187) *2-53, Journal, p. 244.*

A deduction from the salaries of Members, under section 40 of the Revised Statutes, does not involve a question of privilege. (189) *2-53, Journal, pp. 358, 359.*

The demand that a protest against certain parliamentary practices of the House be placed upon the Journal does not present a question of privilege. (191) *2-33, Journal, p. 451, Globe, p. 930.*

A protest against the passage of a bill under suspension of the rules was decided by the House not to present a question of privilege. The Speaker ruled that the paper must be read before the question of privilege could be passed upon. (192) *2-45, Record, pp. 2717, 2738, 2742, 2753.*

A resolution relating to the inaugural ceremonies does not present a question of privilege. (193) *2-48, Record, p. 2301.*

A resolution directing the investigation of certain expenditures of the Government is not privileged. (194) *1-49, Journal, pp. 514, 515, Record, pp. 1027, 1028.*

There having been no unreasonable delay in transmitting an enrolled bill to the President, a resolution relating thereto was decided not to present a question of privilege. (195) *1-50, Journal, p. 2809, Record, p. 8787.*

The Speaker having decided that a motion is out of order under the rules of the House, a resolution condemning such decision does not present a question of privilege. (196) *2-51, Journal, p. 187, Record, p. 1872.*

The Speaker having submitted the question to the House, it decided that no question of privilege was involved in a general charge that Members of Congress had made corrupt propositions to the Executive. (137) *3-27, Journal, p. 46, Globe, pp. 47, 48.*

PRIVILEGE—Continued.

(*o*) ***What are not cases of***—Continued.

An allegation based upon newspaper report that the Executive had influenced improperly a Member of the House was submitted to the House by the Speaker, but not entertained. (138) *1-35, Journal, pp. 376, 410, Globe, pp. 693, 694, 967, 968.*

The House having voted to approve the Journal of the preceding day, a resolution relating to an alleged error in a vote of that day was decided not to present a question of privilege. (197) *2-51, Journal, p. 283, Record, p. 3083.*

An error in the Congressional Directory does not present a question of privilege. (199) *2-52, Journal, p. 101, Record, p. 1940.*

A resolution to investigate the failure of the Post-Office Department to remove a postmaster who had attempted to influence a Member corruptly was decided not to present a question of privilege. (200) *1-43, Journal, p. 109.*

PRIVILEGED MOTIONS.

See "Order of business."

PRIVILEGED QUESTIONS.

(*a*) *Matter not privileged not allowable with privileged matter.*
(*b*) *Senate amendments and conference reports.*
(*c*) *Resolutions of inquiry.*
(*d*) *Loss, return, etc., of bills.*
(*e*) *Reports of committees.*
(*f*) *Special orders.*
(*g*) *In general.*

(*a*) ***Matter not privileged not allowable with privileged matter.***

The including of matter not privileged destroys the privileged character of a bill. (405-407) *1-54, Record, p. 1294; 1-50, Record, p. 2195; 2-50, Record, pp. 47, 48; 2-58, Journal, p. 89, Record, pp. 444-446; 1-59, Record, pp. 2435, 2455, 8485, 8486.*

A resolution of inquiry loses its privileged character if matter not privileged be contained therein. (433) *2-55, Record, pp. 3908, 3909.*

The privilege of a resolution of inquiry may be destroyed by a preamble, although the matter therein recited may be germane to the subject of inquiry. *1-59, Record, pp. 9541-9543.*

A privileged proposition may not be amended by adding thereto matter not privileged or germane to the original question. (1079) *2-48, Journal, p. 546, Record, p. 1637; 2-58, Journal, p. 418, Record, pp. 3146-3149.*

PRIVILEGED QUESTIONS—Continued.

(*a*) ***Matter not privileged not allowable with privileged matter***—Continued.

The text of a bill containing nonprivileged matter, privilege may not be created by a committee amendment in the nature of a substitute not containing the nonprivileged matter. *3-58, Record, pp. 2422, 2423.*

(*b*) ***Senate amendments and conference reports.***

A conference report is always in order, except when the Journal is being read, when the roll is being called, or when the House is dividing; and a statement must accompany each report. (1391) *Rule XXIX.*

A conference report may be presented during a call of the House if a quorum be present. *2-57, Record, p. 2855.*

A conference report may be presented after a motion to adjourn has been made or when a Member is occupying the floor for debate; but the report need not be disposed of before the motion to adjourn is put. (1393-1395) *2-50, Record, pp. 678, 683; 1-51, Journal, pp. 822, 904, Record, pp. 6941, 6942, 7880.*

Conferees having reported their inability to agree, a resolution insisting on the House's disagreement to the Senate amendments and asking a further conference was held to be privileged. (1356) *1-52, Journal, p. 230, Record, p. 5371.*

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. *2-56, Record, p. 3594.*

Before the stage of disagreement has been reached the request of the other House for a conference gives the bill no privilege over other business of the House. (1374, 1375) *1-49, Record, pp. 7331, 7332; 2-54, Record, pp. 833, 834.*

A bill with amendments of the other House is privileged after the stage of disagreement has been reached. *2-56, Journal, pp. 169, 170, Record, p. 1625; 1-57, Record, p. 7113.*

(*c*) ***Resolutions of inquiry.***

Resolutions of inquiry addressed to the heads of the Executive Departments only are privileged, and then not until reported or one week from presentation. (432) *2-51, Journal, p. 188, Record, p. 1874; 1-56, Record, p. 635; 2-58, Record, pp. 1643, 3181.*

A resolution of inquiry, to enjoy its privilege, should call for facts rather than opinions and should not require an investigation. *1-59, Record, pp. 591-593.*

A resolution authorizing a committee to request information has been treated as a resolution of inquiry. *2-58, Record, pp. 51-54.*

PRIVILEGED QUESTIONS—Continued.

(*c*) ***Resolutions of inquiry***—Continued.

A resolution of inquiry may be reported at any time within a week and is privileged for consideration when reported. (430) *1-52, Journal, p. 296, Record, p. 6218.*

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. (431) *1-53, Journal, pp. 106, 107.*

The week's time required to make a resolution of inquiry privileged is seven days, exclusive of either the first or the last day but not exclusive of both. *1-57, Record, p. 7771; 3-58, Record, p. 4019.*

(*d*) ***Loss, return, etc., of bills.***

A bill having been sent from the House to the Senate by error, a resolution to recall it was decided to be privileged. (481) *3-53, Record, p. 2093.*

A Senate bill having been lost in the House, a resolution requesting a duplicate copy from the Senate was presented as privileged. (482) *1-54, Record, p. 2236.*

Requests of the Senate for the return of a bill are treated as privileged in the House. (483, 484) *1-54, Record, pp. 5126, 6110.*

(*e*) ***Reports of committees.***

The rule establishing certain privileged reports which may be made from certain committees at any time. (398) *Rule XI, section 61.*

The right to report at any time carries with it the right to have the matter reported considered. (399, 400) *1-32, Journal, pp. 195, 1009, Globe, pp. 253, 2065.*

The right to report at any time carries with it the right that the bill so reported shall remain privileged until disposed of. (401) *1-49, Journal, p. 2360, Record, p. 7602.*

A bill which may be reported at any time has the same privilege in regard to consideration in Committee of the Whole. (402) *2-53, Journal, p. 145.*

The Speaker has declined to allow the call of committees to be interrupted by a privileged report. *2-57, Record, p. 420.*

A question of privilege does not lose its privilege through any informality in the method of reporting it from a committee. (423) *2-53, Journal, pp. 50, 51, Record, p. 471.*

The report of a special committee appointed "to examine and report" on a certain subject is not privileged for consideration. (424) *2-54, Record, p. 2211.*

PRIVILEGED QUESTIONS—Continued.

(*e*) ***Reports of committees***—Continued.

Bills from a committee having leave to report at any time must be reported in open House and not by filing them with the Clerk. (422) *1-51, Journal, p. 392, Record, p. 2713.*

The right to report at any time a bill raising revenue belongs only to the Ways and Means Committee. (404) *1-49, Record, pp. 7331, 7332.*

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. *1-57, Record, p. 3847; 3-58, Record, p. 1778; 1-59, Record, pp. 2453, 2455.*

In exercising the right to report at any time committees may not include matters not specified by the rule as within the privilege. (405-407) *1-54, Record, p. 1294; 1-50, Record, p. 2195; 2-50, Record, pp. 47, 48.*

A privileged report is not in order on a day set apart by special order for another class of business. (1280) *1-52, Journal, p. 239, Record, pp. 5573, 5574.*

The right of the Committee on Appropriations to report at any time is confined to general appropriation bills. (409-412) *2-44, Journal, p. 394, Record, p. 1320; 1-52, Journal, p. 348, Record, p. 6966; 2-55, Record, pp. 1589, 4500.* But the rule has, in the more recent practice, been interpreted to cover bills appropriating for general objects. *1-56, Record, pp. 2664, 3799.*

The privilege of the Committee on Accounts is confined to resolutions making expenditures from the contingent fund of the House. *3-55, Record, p. 2761; 2-58, Record, pp. 3763, 3764, 5281; 1-59, Record. pp. 8485, 8486, 9388, 9389.*

A resolution from the Committee on Accounts to authorize an appropriation for extra compensation to an employee is not privileged. *3-58, Record, p. 1781.*

The privilege of the Committee on Printing is confined to printing for the use of the two Houses, and the presence of matter not privileged destroys the privileged character of the report. (419, 420) *1-52, Journal, p. 292, Record, p. 6166; 1-53, Journal, p. 80.*

Liberal construction of the rule so far as it relates to the privilege of the Committee on the Public Lands. (417) *1-54, Record, p. 1763.*

The passage of a general bill on a certain subject does not exhaust the privilege of a committee on that subject. (416) *2-51, Journal, p. 255, Record, p. 2799.*

The practice of the Committee on Rules reporting in part at different times was sanctioned by the decision that a committee having leave to report at all times may report in part at different times. (1538) *1-27, Journal, p. 204.*

PRIVILEGED QUESTIONS—Continued.

(*e*) ***Reports of committees***—Continued.

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. *2-56, Journal, p. 293, Record, p. 3236.*

The rule provides that resolutions of inquiry shall be reported back within one week. (425) *Rule XXII, section 5.*

A bill having been recommitted to a committee, with leave to report at any time, and being immediately reported by the chairman, is subject to the point of order that the committee have not considered it. (699) *2-50, Journal, p. 536, Record, p. 2028.*

At the end of sixty minutes the morning hour may be interrupted by a privileged report. (382) *1-51, Journal, p. 969, Record, p. 8819.*

(*f*) ***Special orders.***

A special order does not lose its privilege because called up at a later hour than that specified by its terms. (1269) *1-51, Journal, p. 1078, Record, p. 10392.*

When a bill has been made a special order for a certain day its consideration takes precedence on such day over privileged reports. (1264) *1-49, Record, p. 7276.*

A special order fixing a day for particular business is a change of rules and may be reported at any time as a privileged question by the Committee on Rules. (1539) *1-49, Journal, p. 2171, Record, pp. 6759-6760.*

(*g*) ***In general.***

General appropriation bills have a highly privileged character which continues at all stages, even on Fridays. (413) *1-51, Journal, p. 910, Record, p. 8027.*

A bill making an apportionment of Representatives presents a privileged question. (1774) *2-51, Journal, p. 59, Record, p. 530.*

Measures involving constitutional privilege have been held to be privileged. (143, 144, 210, 1774) *3-27, Journal, p. 159, Globe, p. 145; 2-44, Journal, pp. 555, 556, Record, p. 1980; 2-51, Journal, p. 59, Record, p. 530; 2-55, Record, p. 3381.*

A bill relating to the taking of the census was held to be privileged because of the constitutional requirement. *1-56, Record, p. 884, Journal, p. 166.*

A legislative proposition, presented in obedience to a mandatory provision of the Constitution, was held to involve a question of privilege. *2-56, Journal, pp. 80, 81, Record, pp. 520-522.*

Although a proposition may be privileged for consideration under the rules, yet a motion to lay it on the table is in order, such action being one form of consideration. *1-57, Record, pp. 6389-6390; Journal, p. 780.*

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PRIVILEGED QUESTIONS—Continued.

(*g*) *In general*—Continued.

A concurrent resolution providing for an adjournment of the two Houses for more than three days is privileged. (1519) *2-37, Journal, pp. 718, 720, Globe, pp. 2246, 2262.*

A Member may not have the record of his vote changed in the Journal upon the statement that he voted upon a misapprehension of the question, and a motion relating thereto is not privileged. (1180) *1-31, Journal, p. 1266, Globe, p. 1577.*

A bill providing for a tariff commission was decided not to be a revenue bill within the meaning of the rule giving such bills privilege. (403) *1-47, Record, pp. 1681-1687.*

The rule giving revenue and general appropriation bills precedence on the motion of the appropriate committees. (389) *Rule XVI, section 9.*

PRIVILEGES OF THE FLOOR.

See "Floor of the House."

PROPERTY.

Bills appropriating money or property of the United States are considered first in Committee of the Whole. (764) *Rule XXIII, section 3.*

The Clerk makes reports to the House of the receipts and expenditures of his office and the property under his charge. (1714) *Revised Statutes, sections 70, 72.*

PROTESTS.

Protests are not entered on the Journal unless by vote of the House. (230 and footnote) *3-37, Journal, pp. 122, 123, Globe, p. 165; 1-26, Journal, p. 28.*

The demand that a protest against certain parliamentary practices of the House be placed upon the Journal does not present a question of privilege. (191) *2-33, Journal, p. 451, Globe, p. 930.*

Cases where the question of entering a protest upon the Journal has been considered. (192) *2-45, Record, pp. 2717, 2738, 2742, 2753.*

A protest against the passage of a bill under suspension of the rules was decided by the House not to present a question of privilege. (192) *2-45, Record, pp. 2717, 2738, 2742, 2753.*

A protest by the President against certain proceedings of the House was declared a breach of privilege. (136) *2-27, Journal, p. 1459, Globe, pp. 894, 973, 974.*

PROVISO.

The Committee of the Whole having recommended two amendments, the second being a proviso apparently relating to the first, and the first amendment being defeated, the proviso did not thereby fall, as it attached to the section. (1050) *1-44, Journal, p. 1297, Record, p. 4746.*

PUBLIC BUILDINGS.

Appropriations for the completion of public buildings have been held not in order as amendments to the general deficiency appropriation bill. (599, 600) *2-46, Record, p. 1650; 1-51, Record, p. 8121.*

An amendment increasing a fixed limit of cost for a public building is not in order on an appropriation bill. *2-56, Record, pp. 2793, 2794.*

PUBLIC BUILDINGS AND GROUNDS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (630) *Rule X, Rule XI, section 22.*

The House restaurant was for a time under the supervision of the Committee on Public Buildings and Grounds. (1765) *1-41, Journal, p. 201.*

PUBLIC BUSINESS.

If the House negatives the motion to go into the Committee of the Whole House to consider the Private Calendar on Friday, it is in order to proceed with public business as on other days. (1422) *Rule XXIV, section 6.*

PUBLIC BILLS.

The distinction between public and private bills. (1428) *28 Stat. L., p. 609, section 55.*

A bill containing among provisions for the relief of private persons one item to pay a claim of a foreign nation was classed as a public bill. *1-59, Record, p. 7857.*

A bill which applies to a class, and not to individuals as such, is a public bill. *1-59, Record, pp. 4521-4524.*

PUBLIC DOCUMENTS.

See "Documents."

PUBLIC LANDS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (624) *Rule X, Rule XI, section 15.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

PUBLIC LANDS, COMMITTEE ON—Continued.

The privilege of the Committee on Public Lands. (414–418) *1–51, Journal, p. 928, Record, p. 8305; 2–51, Journal, p. 255, Record, p. 2799; 2–52, Journal, p. 114, Record, p. 2177; 2–53, Journal, p. 475, Record, p. 7261; 1–54, Record, p. 1763.*

Liberal construction of the rule so far as it relates to the privilege of the Committee on the Public Lands. (417) *1–54, Record, p. 1763.*

As to privileged and nonprivileged matters in reports from the Committee on Public Lands. (406–407) *1–50, Record, p. 2195; 2–50, Record, pp. 47, 48.*

PUBLIC WORKS OR OBJECTS.

For construction of clause relating thereto in the rule prohibiting legislation on appropriation bills. (486–506) See *Appropriation Bills.*

PUNISHMENT.

See "Members."

QUALIFICATIONS.

The House is the judge of the elections, returns, and qualifications of its own Members. *Constitution, Article I, section 5, p. 5.*

Qualifications of Members as to age, citizenship, and residence. *Constitution, Article I, section 2, p. 3.*

A person who, having taken the oath, afterwards engages in insurrection or rebellion is disqualified as a Member; but the disability may be removed by a two-thirds vote. *Constitution, Article XIV, section 3, p. 45.*

Members-elect challenged at the organization of the House for alleged disqualifications have in several cases been sworn in, the question of their qualifications sometimes being referred to a committee for examination. *1–37, Journal, p. 12, Globe, pp. 6, 7, 13; 1–41, Journal, pp. 4, 5, 10, Globe, pp. 6, 10, 13; 1–42, Globe, pp. 7, 11; 1–43, Record, pp. 7, 8; 1–48, Record, p. 6.*

A Member-elect being challenged for alleged disqualification during the swearing in of the Members-elect, the Speaker requested him to stand aside, and the House, after debate, voted to refer to a committee the question of the prima facie and final right to the seat. *1–56, Record, pp. 5, 38–53, Journal, pp. 6, 34.*

Members-elect presenting themselves to be sworn after the organization of the House have been denied the oath on the ground of alleged disqualifications. *1–40, Globe, pp. 468, 469, vol. 64, pp. 502, 503, 514, 699, 700, 774, 777, vol. 65, pp. 894, 909, vol. 69, appendix, p. 145; 2–40, Journal, pp. 13, 31, 153, 167, 220, 342, 350, 562, 912, Globe, pp. 2072, 3331, 3337, 3340, 3368–3375.*

QUALIFICATIONS—Continued.

The House excluded Brigham H. Roberts for disqualification. *1-56, Record, pp. 5, 38-53, 1072-1104, 1123-1149, 1175-1217, Journal, pp. 6, 34, 187, 192, 196-198, Report, H. of R., No. 85.*

QUARREL.

A question of privilege arising from a quarrel or other cause must be at once disposed of. (93) *Jefferson's Manual, Section XXXIII, p. 184.*

QUESTION.

Rule for putting. (46) *Rule I, section 5.*

The Speaker must put the question if it be in order. (47) *Jefferson's Manual, Section III, p. 136.*

Resolutions accompanying a report must be stated by the Speaker or read by the Clerk before being debated. (841) *2-48, Journal, p. 745, Record, pp. 2412, 2413.*

On the demand of any Member, before the question is put, a question shall be divided if it include propositions so distinct as to admit of division. (1132) *Rule XVI, section 6.*

A single proposition with modifications may not be divided for the vote. *1-57, Record, p. 48, Journal, p. 8.*

When the previous question is demanded all debate, even the asking of a question, is precluded. (971) *1-28, Journal, p. 1003.*

QUESTION OF CONSIDERATION.

See "Consideration."

QUESTIONS OF ORDER.

See "Points of order."

QUORUM.

(*a*) *By what constituted.*
(*b*) *Its relation to the transaction of business.*
(*c*) *Its relation to adjournment and recess.*
(*d*) *Counting of.*
(*e*) *Point of no quorum.*
(*f*) *In relation to tellers.*
(*g*) *In relation to yeas and nays.*
(*h*) *In Committee of the Whole.*
(*i*) *Call of the House.* See "Call of the House."

(*a*) ***By what constituted.***

The Constitution provides that a majority of the House shall constitute a quorum, but a smaller number may adjourn from day to day and be authorized to compel the attendance of absent Members. (238) *Constitution, Article I, section 5, p. 5.*

QUORUM—Continued.

(*a*) ***By what constituted.***—Continued.

A majority of the Members chosen and living constitutes the quorum required by the Constitution. (250–253) *1–37, Journal, p. 117, Globe, p. 210; 3–45, Record, p. 1908; 1–49, Record, p. 4338; 1–51, Journal, pp. 1059, 1060, Record, p. 10239.*

After the House is once organized the quorum consists of a majority of those members chosen, sworn, and living, whose membership has not been terminated by resignation or by the action of the House. *1–59, Record, pp. 3932, 5354.*

A majority of a committee constitutes a quorum. (601) *Jefferson's Manual, Section XXVI, p. 166.*

The Constitution specifies what shall constitute a quorum of the House for the election of a President. (239) *Constitution, Article XII, p. 40.*

(*b*) ***Its relation to the transaction of business.***

The failure of a quorum necessitates the suspension of even the most highly privileged business. (261) *1–51, Journal, p. 827, Record, p. 6973.*

The presence of a quorum is necessary for the House to do business. (Former decisions overruled.) (266–268) *2–55, Record, p. 6557; 2–51, Journal, p. 162, Record, p. 1530; 2–53, Journal, pp. 326, 327; Jefferson's Manual, Section VI, pp. 142, 159; 2–56, Journal, pp. 81, 82, Record, pp. 517–520; 1–57, Record, pp. 6057, 6059; 2–57, Record, p. 2589; 2–58, Record, p. 5839; 1–59, Record, p. 6330.*

If a quorum fail on a division, the matter continues exactly as it was and must be resumed at that point. (1123) *Jefferson's Manual, Section XLI, p. 201.*

The previous question having been ordered on a bill by unanimous consent in the absence of a quorum, the Speaker on the next day ruled that the action was null and void. (259) *3–42, Journal, p. 447, Globe, p. 1518.*

The absence of a quorum having been disclosed, the only proceedings in order are the motions to adjourn or for a call of the House, and not even by unanimous consent may business be acted upon. (258) *2–42, Globe, p. 3855.*

The absence of a quorum having been disclosed, there must be a quorum of record before the House may proceed to business. (256) *2–30, Globe, p. 624.*

When a vote taken by yeas and nays shows that no quorum has voted, it is the duty of the Chair to take notice of that fact. (254) *1–48, Journal, p. 1385; 2–56, Record, pp. 2286, 2287.*

Members have been sworn in by unanimous consent when a roll call had disclosed the absence of a quorum. (20) *1–55, Record, p. 423.*

QUORUM—Continued.

(*b*) ***Its relation to the transaction of business***—Continued.

A veto message may not be read or considered in the absence of a quorum. (1472) *1-33, Journal, p. 1341, Globe, p. 2144.*

A conference report has been held in order even pending a motion for a call of the House, but it was not a case where the absence of a quorum had been ascertained. (1391, footnote) *2-46, Record, pp. 203, 1202, 1203.*

Less than a quorum may not expunge anything from the Journal. (338) *2-52, Journal, p. 107, Record, p. 1994.*

The Journal may not be approved until a quorum has appeared. (217, 218) *2-27, Journal, p. 678, Globe, p. 405; 1-50, Journal, p. 2945, Record, p. 9607.*

A conference report may be presented during a call of the House if a quorum be present. *2-57, Record, p. 2855.*

A special order made after the absence of a quorum had been suggested, but before such fact had been ascertained and announced, was decided to be valid. (278) *2-52, Journal, p. 33, Record, p. 330.*

(*c*) ***Its relation to adjournment and recess.***

The hour fixed for adjournment *sine die* having arrived, the Speaker delivered his valedictory and declared the House adjourned, although no quorum was present. (276) *2-23, Globe, p. 332.*

A smaller number than a quorum may adjourn. *Constitution, Article I, section 5, p. 5.*

The absence of a quorum being disclosed, a motion to fix the day to which the House shall adjourn is not in order and may not be entertained, although a quorum be disclosed on an affirmative vote on the motion to adjourn. (262) *2-53, Journal, p. 188.*

Pending a motion to suspend the rules, a motion to adjourn having been voted down and no quorum voting to second the former motion, it was held that the motion to adjourn might be repeated. (1502) *2-50, Journal, p. 103, Record, pp. 300, 301.*

When a quorum fails after a motion to suspend the rules, the motion to adjourn may not be repeated unless a quorum fails to appear on a call of the House. (1567) *1-47, Record, pp. 2081, 2082, 2088.*

After a motion to suspend the rules has been made, and one motion to adjourn has been negatived, a second motion to adjourn may be entertained after the lack of a quorum has been ascertained. *3-55, Record, p. 2121.*

QUORUM—Continued.

(*c*) ***Its relation to adjournment and recess***—Continued.

The hour fixed by the rules for a recess having arrived, the Speaker declares the House in recess although less than a quorum may be present. (277, 1482, 1483) *1-48, Journal, p. 1117; 1-51, Journal, p. 934, Record, p. 8352; 1-51, Journal, p. 915, Record, p. 8035.*

The point of no quorum being made, a motion for a recess may not be entertained. (255, 265) *2-29, Journal, p. 343, Globe, p. 421; 2-55, Record, p. 6602.*

Less than a quorum may not determine to take a recess. (257) *2-32, Journal, p. 388.*

In the Forty-eighth Congress it was intimated that in the absence of a quorum a motion for a recess might be made, although a quorum would be required to agree to it. (260) *1-48, Record, p. 1217.*

(*d*) ***Counting of.***

Members present and not voting may be counted as part of the quorum required by the Constitution. (242) *1-51, Journal, pp. 175-177, Record, pp. 949-960, 979-993.*

The rule for counting Members not voting in determining the presence of a quorum. (241) *Rule XV, section 3.*

Construction of the rule providing for counting a quorum. *1-59, Record, p. 7099.*

It is strictly parliamentary for the Speaker or Chairman of the Committee of the Whole to count the Members to ascertain the presence of a quorum. (1632) *1-24, Globe, p. 484.*

Under the latest, as well as the very early, practice of the House the Speaker may count the Members to ascertain the presence of a quorum. (242 and footnote) *1-51, Journal, pp. 175-177, Record, pp. 949-960, 979-993; 2-9, Annals, p. 655; 2-21, Debates, p. 382; 1-26, Globe, p. 360; 1-35, Globe, pp. 2164, 2211.*

The Speaker's count of a quorum is not subject to verification by tellers. *1-59, Record, p. 6465.*

In counting to ascertain the presence of a quorum the Chair counts all Members in sight, whether in the cloakrooms or within the bar. *2-59, Record, p. 3571.*

After a roll call is concluded a Member may not record his vote unless he has been noted as present under section 3 of Rule XV. (1122) *Rule XV, section 1.*

The point of order being made that a Member noted as present under section 3 of Rule XV was actually absent, his name was erased from the list before the announcement of the result. (249) *2-51, Journal, p. 273, Record, pp. 2997, 2999.*

A Member noted as present under section 3 of Rule XV may be allowed to vote. (247) *2-55, Record, p. 6555.*

QUORUM—Continued.

(*d*) ***Counting of***—Continued.

It is not necessary that a quorum vote on a question taken by tellers, providing a quorum be present. (243) *1-51, Journal, p. 243, Record, p. 1415.*

(*e*) ***Point of no quorum.***

The point of order must be that no quorum is present. (246) *2-54, Record, p. 2966.*

The presence of a quorum having been ascertained, the Speaker has overruled points of "no quorum" made very soon thereafter. (244, 245) *1-51, Journal, p. 1071, Record, p. 10337; 2-51, Journal, p. 39, Record, p. 271; 2-57, Record, pp. 2726-2728; 1-59, Record, pp. 7248, 7249; 2-59, Record, pp. 3572, 3573.*

The Speaker being satisfied that a quorum was present and that a point of no quorum was made for dilatory purposes declined to entertain it. (1621-1623) *1-54, Record, pp. 6166, 6167, 6173; 2-54, Record, p. 1133; 2-55, Record, pp. 2559-2566.*

When, on division, less than a quorum votes, and then tellers or the yeas and nays are refused, the point of no quorum may still be made, according to the latest ruling. (269-275) *1-51, Journal, p. 856, Record, p. 7262; 2-52, Journal, pp. 53, 58, Record, p. 834; 1-53, Journal, p. 30; 1-54, Record, pp. 3299, 5824; 2-55, Record, p. 3863; 1-56, Record, p. 5815; 3-58, Record, p. 600.*

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. (263, 264) *2-54, Record, p. 1077; 2-55, Record, pp. 4529, 4530; 1-56, Record, p. 1465; 2-59 Record, pp. 4303, 4305.*

(*f*) ***In relation to tellers.***

The right to demand tellers is not waived by the fact that the Member demanding them has just made the point of no quorum and caused the Chair to count the House. (1143) *1-51, Journal, pp. 528, 529, Record, p. 3911; 1-59, Record, p. 4462.*

Where the vote as announced by tellers shows no quorum, and a motion for a call of the House is interjected and voted down, it is customary to take the vote by tellers anew on the original question instead of continuing the count of additional votes. (1145) *2-52, Journal, p. 117, Record, p. 2240.*

(*g*) ***In relation to yeas and nays.***

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. *2-56, Record, p. 3444; 1-57, Journal, p. 815, Record, p. 6886; 1-59, Record, p. 4609;* but the yeas and nays may not be demanded if a quorum be present on the vote by tellers. *1-59, Record, p. 7186.*

QUORUM—Continued.

(*g*) ***In relation to yeas and nays***—Continued.

In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way. (1158–1166) *1–32, Globe, p. 1220; 3–37, Globe, p. 573; 1–45, Journal, p. 290, Record, pp. 811, 812; 3–46, Journal, p. 596, Record, p. 2446; 2–50, Record, pp. 679, 681; 1–51, Journal, pp. 903, 984, Record, p. 7861; 1–53, Journal, p. 172, Record, pp. 3120, 3121; 2–55, Record, p. 4744; 2–57, Record, pp. 2912, 3010, 3011.*

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. (1230) *1–50, Record, p. 7546.*

Where a quorum fails to vote on a yea-and-nay vote, the order for the yeas and nays remains in force. (1155, 1156) *1–49, Journal, pp. 1566, 1885, Record, pp. 4342, 5679, 5680; 1–51, Journal, p. 998, Record, p. 9277.*

(*h*) ***In Committee of the Whole.***

The quorum of the Committee of the Whole is one hundred Members. (279) *Rule XXIII, section 2.*

When a quorum fails in Committee of the Whole, the roll is called and the committee rises and reports. (279) *Rule XXIII, section 2.*

Upon the failure of a quorum in Committee of the Whole, the roll is called but once. (282) *2–53, Journal, p. 237, Record, p. 2798.*

The Committee of the Whole having voted to rise after the point of no quorum had been made, the bills which the committee had acted upon were reported to the House. (286) *1–54, Record, p. 1195.*

The Committee of the Whole having risen because a quorum had failed, the bills that had been laid aside to be reported remained in the committee until the next occasion when the committee rose without question as to a quorum. (753) *1–54, Record, pp. 4914, 5011.*

It is not necessary that there be a quorum on the vote that the Committee of the Whole rise. (284, 285, 752) *3–46, Record, p. 1628; 1–51, Record, p. 8249; 1–35, Journal, pp. 814, 822, Globe, p. 2141.*

The fact that the vote whereby the Committee of the Whole rose did not show a quorum was held not sufficient to prevent the reception of the report of the committee by the House. (752) *1–35, Journal, pp. 814, 822, Globe, p. 2141.*

The ascertainment of a quorum by the call of the roll and rising of the Committee of the Whole does not obviate the necessity of taking again the vote on the question on which the quorum failed. (286) *1–54, Record, p. 1195.*

QUORUM—Continued.

(*h*) ***In Committee of the Whole***—Continued.

The Committee of the Whole having risen for want of a quorum, and the roll having shown a quorum, a motion to adjourn was entertained and negatived, and although in that motion a quorum did not vote, the Speaker *pro tempore* ruled that the committee should resume its session under the rule. (283) *3-46, Record, pp. 1628, 1629.*

A Committee of the Whole finding itself without a quorum, and the roll having been called, rose and made a report showing a quorum of the committee but not of the House; whereupon the Speaker directed that the committee resume its sitting. *3-58, Record, pp. 3530, 3531; 2-59, Record, pp. 3571, 3572.*

When a Committee of the Whole rises and reports the lack of a quorum, and immediately upon a vote of the House a quorum appears, the sitting of the committee must be resumed immediately. (281) *2-27, Journal, p. 589, Globe, p. 350.*

RAILROADS BETWEEN MISSISSIPPI AND PACIFIC COAST.

Subjects relating to, are under jurisdiction of the Committee on Pacific Railroads. (631) *Rule XI, section 23.*

RAILWAYS AND CANALS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (627) *Rule X, Rule XI, section 19.*

READING OF BILLS.

The rule for the reading, engrossment, and passage of bills. (467) *Rule XXI, section 1.*

A Senate bill may not be amended in the House after it has passed to the third reading. *2-58, Record, p. 1470.*

It is the right of a Member to demand at the proper time the reading in full of the engrossed copy of a bill. (470–472) *2-48, Record, p. 2251; 2-49, Record, p. 1062; 1-54, Record, p. 3540; 2-58, Record, p. 5152.*

Pending the demand for the previous question on the passage of a bill, or even after it is ordered, the reading of the engrossed copy may be demanded. (471) *2-49, Record, p. 1062.*

It is not in order to demand the reading of the engrossed copy of a bill which is presented as the subject of a conference report. (472 footnote) *1-44, Journal, p. 1423; 1-52, Record, p. 4586.*

A bill which has been read in Committee of the Whole and reported favorably therefrom is not read in full again when acted on by the House. *3-55, Record, pp. 1614, 1634, 2581; 1-57, Record, pp. 4840, 4841, Journal, p. 659.*

READING OF BILLS—Continued.

After the yeas and nays have been ordered on the passage of a bill it is too late to demand the reading of the engrossed bill. (473) *1-52, Journal, p. 225.*

In the consideration of amendments on a bill pending between the two Houses it is not necessary to read the entire bill when the amendments come up for action. (469) *2-54, Record, p. 2653.*

The time occupied in reading a bill in Committee of the Whole does not come out of the time allowed for general debate. (921) *2-43, Record, p. 1699.*

When a bill is taken up in Committee of the Whole its reading in full may be demanded, although it has just been read in the House. (468) *2-54, Record, p. 1660.*

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. *3-58, Record, pp. 2406, 2486, 2487.*

READING OF MESSAGES.

While a question of privilege is pending, a veto message from the President may be received and read but not acted on. (437, 438) *2-53, Journal, pp. 292, 293, 295, Record, pp. 3351-3353.*

READING OF PAPERS.

(*a*) *Rights of Members in relation to.*
(*b*) *In relation to questions of privilege.*
(*c*) *General provisions.*

(*a*) ***Rights of Members in relation to.***

When the reading of a paper, other than one on which the House is called to give a final vote, is demanded and objected to, the question is determined by the House without debate. (1236) *Rule XXXI.*

Interpretation of the rule of the House relating to the reading of papers. (1239) *1-32, Globe, p. 2417.*

The previous question having been demanded on a resolution adopting rules for the House, a demand for the reading of the rules, which were not a part of the resolution, was overruled. *1-57, Record, p. 47.*

Objections being made when Members have proposed to have papers read as part of their remarks, the question has been referred to the House, as provided by the rule. (1243-1245) *1-54, Record, p. 3557; 1-55, Record, pp. 507, 513, 514; 2-55, Record, p. 846.*

The rights of the Member in relation to the reading of papers, as defined by the parliamentary law. (1237) *Jefferson's Manual, Section XXXII, pp. 174, 175.*

READING OF PAPERS—Continued.

(*a*) ***Rights of members in relation to***—Continued.

Without leave of the House a Member has not the right to read a paper in his place, even though it be his own written speech. (1237) *Jefferson's Manual, Section XXXII, p. 175.*

A Member may not have a report read at the Clerk's desk in his own time if objection be made, without leave of the House; and even has been debarred from reading it himself in his place. *1-56, Record, pp. 4136, 4137; Jefferson's Manual, p. 175.*

A Member may not have read or read himself a printed book to the House without its leave. (1238) *1-51, Record, p. 1019.*

The right to have read a paper on which the House is to vote may be abrogated by a suspension of the rules, even though the previous question may have been ordered. (1249-1253) *3-24, Journal, p. 386, Globe, p. 631; 1-32, Journal, p. 1116, Globe, p. 2416; 2-35, Journal, p. 572, Globe, p. 1668; 2-38, Journal, pp. 397, 398, Globe, p. 1334; 1-44, Journal, p. 1331, Record, p. 4861.*

The reading of the documents accompanying a message of the President may not be demanded as a matter of right. (1246, 1247) *2-44, Journal, pp. 294-297, Record, p. 925; 2-55, Record, p. 2735.*

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. *1-56, Record, pp. 6251, 6252.*

(*b*) ***In relation to questions of privilege.***

A Member has not the right, without a question put, to have a book or paper read on suggesting that it contains matter infringing on the privileges of the House. (1237) *Jefferson's Manual, Section XXXII, p. 174.*

A Member rising to a question of personal privilege, and requesting the reading of a paper, should state his belief that it involves a question of privilege; then it should be read, to enable the Speaker and House to decide. (194) *1-49, Record, pp. 1027, 1028, Journal, pp. 514, 515.*

A protest against the passage of a bill under suspension of the rules was decided by the House not to present a question of privilege. The Speaker ruled that the paper must be read before the question of privilege could be passed upon. (192) *2-45, Record, pp. 2717, 2738, 2742, 2753.*

A Member who proposed to read as part of a personal explanation matter which the House had refused to allow to go into the Congressional Record was permitted to do so, subject to a point of order if there should be anything in violation of the rules governing debate. (1242) *1-49, Journal, pp. 2547, 2548, Record, pp. 8031, 8032.*

READING OF PAPERS—Continued.

(*c*) ***General provisions.***

The Chair may rule an amendment out of order before the reading has been completed, if enough has been read to show that it is not in order. (1248) *2-55, Record, p. 2735; 2-56, Record, p. 744.*

On a motion to commit papers, the reading of them may be demanded, but the rulings differ as to testimony accompanying a report which is to be committed. (1240, 1241) *1-34, Journal, p. 1146, Globe, p. 1535; 2-50, Journal, p. 571, Record, p. 2118.*

There is no rule requiring that the text of a bill which has been read in the House shall be printed in either the Journal or the Record. (1683, 1684, 1685) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125; 1-54, Record, p. 47.*

A Member may not as a matter of right demand the reading of the reporters' notes. (1683) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025.*

If a paper read by a Member or by the Clerk contain matter not in order, a point of order may be made as if the words were spoken in debate. (1634) *1-49, Journal, p. 2547.*

The reading of a report, being in the nature of debate, is not in order after the previous question is ordered. (973, 974) *1-23, Journal, p. 726; 1-49, Record, pp. 7154, 7155.*

Instance wherein a privileged report which presented facts and conclusions but no legislative proposition was read to the House. *2-58, Record, pp. 4716, 4719, 4721.*

RECALL OF A BILL.

See "Bills."

RECAPITULATION.

The recapitulation of a vote is within the discretion of the Speaker, but he usually allows it if the vote is close. (1188, 1189) *2-51, Journal, p. 182, Record, p. 1832; 1-54, Record, pp. 5206, 5207.*

After the announcement of the result a vote may be recapitulated only by unanimous consent. (1182) *1-52, Journal, pp. 113-115, Record, pp. 2548, 2549.*

There is no rule or practice requiring a recapitulation of the names of those who appear on a call of the House after their names have been called. (248) *1-51, Journal, p. 991, Record, p. 9184.*

RECEDE.

(*a*) *Precedence of the motion.*
(*b*) *In general.*
(*c*) *Relations to adherence.*

(*a*) ***Precedence of the motion.***

The parliamentary law governing the precedence and effects of the motions to agree, disagree, recede, insist, and adhere. (1322) *Jefferson's Manual, Section XXXVIII, p. 194.*

The House may not recede from its own amendments with an amendment. *Jefferson's Manual, Section XLV, p. 206. 1-59, Record, pp. 9566-9568, 9569.*

The motion to recede has preference, although the previous question has been demanded. (74) *2-50, Record, p. 2454.*

A motion to recede and concur is in order even after the previous question has been demanded on a motion to insist. (1355) *2-55, Record, pp. 4041, 4056, 4060, 4062-4064; 3-58, Record, pp. 3883, 3884.*

A division of the motion to recede and concur may be demanded. *1-57, Record, pp. 7391, 7392.*

A motion to recede and concur is divisible, and being divided and the House having receded, a motion to amend has precedence of the motion to concur. *2-59, Record, p. 4123.*

One House may recede from its amendment after the other House has returned it amended. (1354) *2-55, Record, pp. 6097, 6099, 6377.*

A motion to recede and concur in a Senate amendment with an amendment takes precedence of a motion to further insist on the House's disagreement to the Senate amendment. (1348) *1-55, Record, pp. 2641, 2642.*

The stage of disagreement having been reached, the motion to recede and concur takes precedence of the motion to recede and concur with an amendment. (1349-1353) *2-53, Journal, p. 557, Record, p. 8389; 3-53, Journal, p. 185, Record, p. 3178; 1-54, Record, p. 6068; 1-55, Record, p. 2661; 2-55, Record, p. 6731.*

The question on the adoption of a final conference report has precedence of a motion to recede and concur in amendments of the other House. *3-55, Record, p. 2927.*

(*b*) ***In general.***

When one House recedes from its amendment to a bill of the other, the bill is thereby passed, if there be no other point of difference as to the bill. *2-59, Record, pp. 4247, 4289.*

While a conference asked by the House was in progress on the House's disagreement to Senate amendments, by a special order the House discharged its conferees, receded from its disagreement, and agreed to the amendments. (1373) *2-53, Journal, pp. 563, 564, Record, pp. 8469, 8470.*

RECEDE—Continued.

(*b*) *In general*—Continued.

Instance wherein one House receded from its amendment to a bill of the other House, although it had insisted and asked a conference, to which the other House had agreed. *1-59, Record, pp. 9087, 9147, 9149, 9152, 9246, 9275.*

Respective duties of the House and Senate as to receding from disagreement over appropriation bills. (1365, footnote) *1-54, Record, pp. 6379, 6417, 6422; 2-55, Record, pp. 6536-6544.*

A motion to recede being decided in the negative, the House does not thereby vote to insist. *2-57, Record, pp. 2351, 2659, 2660.*

Conditions governing receding and insisting (with or without amendments) in cases arising over amendments between the Houses. (1321) *Jefferson's Manual, Section XLV, p. 205.*

(*c*) *Relations to adherence.*

After one House has adhered the other may recede or ask a conference, which may be agreed to by the adhering House. (1358-1362) *1-1, Journal, pp. 104, 105, 113, 114, 116, 124, 125 (Gales & Seaton ed.); 1-2, Journal, p. 551 (Gales & Seaton); 1-3, Journal, p. 133 (Gales & Seaton); 1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

Pending a demand for the previous question on the motion to adhere, a motion to recede was not entertained. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

Where one House has voted at once to adhere, the other may insist and ask a conference, but the motion to recede has precedence. (1364) *1-23, Journal, p. 229, Debates, pp. 2493, 2494, 2498.*

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. (1357) *1-1, Journal, pp. 107, 108 (Gales & Seaton ed.).*

The House having adhered to its disagreement to a Senate amendment, and the Senate having insisted, the House receded from its adherence and agreed to the amendment with an amendment. *1-57, Journal, pp. 833, 848, Record, pp. 7113, 7387.*

The House may recede from its adherence. *1-57, Record, pp. 7387-7388.*

RECESS.

(*a*) *Privilege of the motion for.*
(*b*) *Taking of.*
(*c*) *During the session.*

(*a*) *Privilege of the motion for.*

This motion is not now in the list of privileged motions. (924) *Rule XVI, section 4.* Made privileged temporarily. *2-57, Record, pp. 2760, 2763.*

RECESS—Continued.

(*a*) ***Privilege of the motion for***—Continued.

No question being under debate and a motion to adjourn having been made, motions for a recess and to fix the day to which the House should adjourn were not entertained. *2-58, Record, p. 2178.*

A motion for a recess is not in order before the Journal has been read. (222) *2-50, Record, pp. 676, 677.*

A motion for a recess has been once ruled in order before the approval of the Journal. (224) *2-52, Journal, p. 98, Record, p. 1863.*

When less than a quorum is present a motion for a recess is not in order. (255) *2-29, Journal, p. 343, Globe, p. 421.*

A motion for a recess is not in order during a call of the House. (302, 303) *1-26, Journal, p. 843, Globe, p. 361; 1-48, Journal, p. 618.*

The motion for a recess is not in order when a question is before the House. (1481) *2-51, Journal, p. 346.*

The motion for a recess is not privileged against the regular order of business. (1480) *1-51, Journal, p. 957, Record, p. 8629.*

Less than a quorum may not determine to take a recess. (257) *2-32, Journal, p. 388.*

The point of no quorum being made, a motion for a recess may not be entertained. (265) *2-55, Record, p. 6602.*

A quorum not being present, a motion for a recess is not in order, and only motions for a call of the House or to adjourn may be entertained. (298) *1-29, Journal, p. 355.*

In the Forty-eighth Congress it was intimated that in the absence of a quorum a motion for a recess might be made, although a quorum would be required to agree to it. (260) *1-48, Record, p. 1217.*

A motion to suspend the rules may be entertained pending a motion for a recess, even when the latter motion is highly privileged. (1602) *2-42, Journal, p. 1099, Globe, pp. 4434, 4435.*

Pending a motion to suspend the rules a motion for a recess is not in order. (1569, 1570) *1-45, Journal, p. 290, Record, pp. 811, 812; 1-53, Journal, pp. 174, 175, Record, p. 3127.*

(*b*) ***Taking of.***

When the hour previously fixed for a recess arrives the Chair declares the House in recess, even though a quorum be not present. (277, 1482, 1483) *1-51, Journal, p. 934, Record, p. 8352; 1-48, Journal, p. 1117; 1-51, Journal, p. 915, Record, p. 8035.*

While a motion to suspend the rules was under debate the Speaker declined to declare the House in recess at 5 p. m. Friday. (1593) *1-52, Journal, pp. 274, 277, Record, p. 5919.*

Effect of the terms of a special order upon motions to adjourn and for a recess. (1272-1276) *2-50, Journal, pp. 321, 394, Record, pp. 1062,*

RECESS—Continued.

(*b*) ***Taking of***—Continued.

1400; 2–53, Journal, pp. 292, 293, 295, 299, Record, pp. 3349, 3403; 2–53, Journal, p. 454, Record, pp. 6906, 6919, 6920; 3–53, Journal, pp. 105, 110, 114.

The consideration of a conference report may be interrupted by the arrival of the hour previously fixed for taking a recess. (1396) *1–51, Journal, p. 904, Record, p. 7880.*

A roll call is not interrupted by the arrival of an hour fixed for a recess by rule or prior vote of the House. (1171, 1172) *1–51, Journal, p. 934, Record, p. 8352; 2–55, Record, p. 847.*

It is not in order to move to reconsider the vote whereby the House refuses to take a recess. (1199) *2–52, Journal, p. 58, Record, p. 836.*

The House takes a recess each Friday at 5 p. m. until 8 p. m. (1438) *Rule XXVI, section 2.*

When the House adjourns before 5 p. m. Friday the evening session is thereby vacated. (1440) *1–54, Record, p. 6174.*

After a motion for a recess had been made but before the vote had been taken the hour to which the recess was proposed to be taken arrived. It was nevertheless held that the question should be taken on the motion. (1484) *2–50, Journal, p. 195, Record, pp. 630, 631.*

The House having, at an evening session set apart for a certain class of business, taken a recess until the following day, it was held that the session after the recess was not to be devoted to the same class of business. (1485) *2–48, Journal, pp. 536, 537, Record, p. 1669.*

The Committee of the Whole does not take a recess. (1481, footnote) *2–40, Globe, pp. 1543, 1558.*

(*c*) ***During the session.***

When the two Houses adjourn for more than three days and not to or beyond the period fixed by the Constitution or law for the next regular session the session is not thereby terminated, but continues until an adjournment without day or until the next regular session. (1516, 1517) *1–39, Journal, pp. 107, 108, Globe, p. 127; 2–39, Journal, p. 106, Globe, p. 227.*

The House may empower a committee to sit during a recess which is within the constitutional session of the House. (658) *2–45, Journal, p. 132, Record, pp. 228, 231; 1–56, Record, p. 5923, Journal, p. 614.*

A committee, with leave of the House, may sit during the recess between the first and second sessions of Congress. (602, footnote) *Jefferson's Manual, Section LI, p. 216.*

A conference committee may continue through the recess between two sessions of the same Congress. *1–57, Journal, p. 818; 2–57, Journal, p. 16, Record, p. 42.*

RECESS—Continued.

(*c*) ***During the session.***

One House having asked a conference at one session, the other House may agree to the conference at the next session of the same Congress. *1-57 Journal, p. 875; 2-57, Journal, p. 16, Record, p. 42.*

RECOGNITION.

See "Debate."

RECOMMIT.

See "Refer."

RECONSIDER.

(*a*) *Making the motion.*
(*b*) *Effect and nature of.*
(*c*) *When not in order.*
(*d*) *In absence of a quorum.*
(*e*) *In relation to yeas and nays.*
(*f*) *In relation to motion to lay on the table.*

(*a*) ***Making the motion.***

The motion to reconsider may be made on the same or succeeding day, and after the said succeeding day may not be withdrawn, and thereafter any Member may call it up; but in the last six days of a session the motion must be disposed of when made. (1190) *Rule XVIII, section 1.*

Any Member of the majority may make the motion to reconsider, which takes precedence of all questions except conference reports and motions to adjourn. (1190) *Rule XVIII, section 1.*

Where there has been no yea-and-nay vote, any Member, irrespective of whether or not he voted with the majority, may make the motion to reconsider. (1192, 1193, 1228) *2-53, Journal, p. 149, Record, p. 2034; 1-54, Record, p. 5298; 1-45, Journal, p. 290, Record, pp. 811, 812.*

The motion to reconsider a yea-and-nay vote may not be made by a Member who, not voting, was paired in favor of the majority's contention. *1-59, Record, p. 7095.*

A Delegate may make any motion which a Member may make, except the motion to reconsider. (38) *1-31, Journal, p. 1280.*

In committees Delegates possess the same powers and privileges as in the House, and may make any motion except to reconsider. (609) *Rule XII.*

A Member may make the motion to reconsider at any time, without thereby abandoning a prior motion made by himself and pending. (1218) *1-53, Journal, pp. 172, 173, Record, p. 3122.*

A motion to reconsider, having been once made and decided, may not be repeated unless an amendment has been adopted since the

RECONSIDER—Continued.

(*a*) ***Making the motion***—Continued.

first reconsideration. (1222–1224) *2–27, Journal, p. 1022, Globe, p. 688; 1–28, Journal, p. 618, Globe, p. 414; 1–31, Journal, pp. 1402, 1404–1407, Globe, p. 1762.*

A motion to reconsider may be entertained notwithstanding the fact that the papers connected with the proposition may have gone out of the possession of the House. (1207–1210) *1–26, Journal, p. 1033, Globe, p. 124; 1–28, Journal, pp. 1125, 1131, Globe, p. 686; 1–29, Journal, p. 657; 1–33, Journal, pp. 336, 1199, Globe, pp. 375, 1913.*

A motion to reconsider the vote whereby the House resolves itself into Committee of the Whole has been entertained when made before the Speaker had left the chair. (1491) *2–49, Journal, p. 384, Record, p. 917.*

Instance of reconsideration of a bill which has passed both houses. *2–58, Record, pp. 2711, 2736, 5221, 5286, 5303.*

(*b*) ***Effect and nature of.***

Where a motion to reconsider has been passed in the affirmative, the question immediately recurs upon the question reconsidered. (1235) *1–31, Journal, p. 847, Globe, p. 832.*

Discussion of the effect of the motion to reconsider. (1194) *2–55, Record, pp. 1777, 1918, 1942–1945.*

It is in order to call up a motion to reconsider at any time, but until it is called up the motion is not the regular order. (1214) *2–52, Journal, pp. 41–43, Record, p. 549.*

While the motion to reconsider may be entered at any time during the two days prescribed by the rule, even after the previous question is ordered or when a question of the highest privilege is pending, it may not be considered while another question is before the House. (1215–1217) *1–34, Journal, pp. 1476, 1477, Globe, pp. 1525, 2166; 2–53, Journal, pp. 327, 328, Record, pp. 3704–3708.*

When a motion to reconsider relates to a bill belonging to a particular class of business, the consideration of the motion is in order only when that class of business is in order. (1219, 1220) *2–52, Journal, pp. 13, 14, Record, p. 34; 1–54, Record, p. 5298.*

A motion to reconsider is not debatable if the question proposed to be reconsidered was not debatable. (1211–1213) *2–27, Journal, p. 231, Globe, p. 218; 2–30, Journal, p. 135, Globe, p. 84; 2–45, Journal, p. 592, Record, pp. 1486, 1487.*

It is not in order to debate a motion to reconsider a vote taken under operation of the previous question. *2–56, Record, p. 2480.*

A motion to reconsider made by a Member supposed to have voted with the prevailing side was treated as a nullity when a correc-

RECONSIDER—Continued.

(*b*) ***Effect and nature of***—Continued.

tion of the vote showed that the Member really had voted on the side which did not prevail. (234) *1-29, Journal, p. 1032, Globe, p. 1058.*

After the House had adhered it reconsidered its action, receded from its disagreement, and agreed to the Senate amendment with an amendment. (1357) *1-1, Journal, pp. 107, 108 (Gales & Seaton).*

The House may agree to a conference without reconsidering its vote to adhere. (1362) *1-35, Journal, pp. 604, 615, 620, Globe, pp. 1544, 1589, 1590.*

The previous question having been ordered on a motion and then reconsidered, both the motion for the previous question and the original motion may be withdrawn. (937) *2-53, Journal, p. 345, Record, p. 3911.*

When a vote taken under the operation of the previous question is reconsidered, the question stands divested of the previous question and may be debated and amended. (991-994) *1-27, Journal, pp. 47, 61, 128, 129, Globe, p. 53; 1-33, Journal, p. 127; 3-34, Journal, p. 452, Globe, p. 729; 1-54, Record, p. 3722.*

Pending the demand for the previous question on the passage of a bill, it is not in order to debate a motion to reconsider the vote on its third reading, but the motion must be disposed of without debate. (972) *1-34, Journal, p. 1009, Globe, pp. 1259, 1260.*

The motion to reconsider, and the motion to lay that motion on the table, are admitted while the previous question is operating. *1-56, Record, p. 2795.*

The right of the "mover, proposer, or introducer of the matter pending" to speak in reply does not apply to a Member who has moved to reconsider the vote on a bill which he did not report. (865) *1-44, Record, pp. 382, 390.*

(*c*) ***When not in order.***

It is not in order to move the reconsideration of any action after such subsequent proceedings have been had as to render it impossible for the House to reverse that action. (1202) *1-31, Journal, pp. 860, 861.*

Conferees having been appointed, it is too late to reconsider the vote whereby the House has disagreed to a Senate amendment. (1205) *1-54, Record, p. 6360.*

The previous question may not be reconsidered after it has been partly executed. (1203, 1204) *1-31, Journal, pp. 1074, 1101, 1398; 1-31, Globe, p. 1352.*

RECONSIDER—Continued.

(*c*) ***When not in order***—Continued.

In one instance the Chair has allowed the reconsideration of an order that was partly executed. (1206) *2–53, Journal, p. 149, Record, p. 2035.*

A vote on the reconsideration of a vetoed bill may not be reconsidered. (1200) *1–28, Journal, pp. 1093, 1097, Globe, pp. 665–675.*

A motion to reconsider a vote upon a motion to suspend the rules is not in order. (1201) *2–31, Journal, p. 134, Globe, pp. 182, 225.*

A motion to go into Committee of the Whole, when decided in the negative, may not be reconsidered. *1–59, Record, pp. 2609–2610.*

It is not in order to move to reconsider a vote whereby the House has refused to adjourn. (1197, 1198) *2–45, Journal, p. 139, Record, p. 243; 1–50, Record, p. 2706.*

It is not in order to move to reconsider the vote whereby the House refuses to take a recess. (1199) *2–52, Journal, p. 58, Record, p. 836.*

Where a special order prohibited "intervening motions" between the vote on an amendment and the final vote, it was held that the motion to reconsider was not in order. (1283) *2–53, Journal, pp. 304, 305, Record, pp. 3421, 3422.*

Under certain circumstances the motion to reconsider has been held dilatory. *2–56, Record, p. 409; 1–59, Record, pp. 7092, 7097, 7101, 7105.*

The motion to reconsider, for the previous question, and to adjourn are not in order in Committee of the Whole. (744) *Jefferson's Manual, Sections XII, XXVI, pp. 148, 168; 2–56, Record, p. 2171; 1–57, Record, p. 4594.*

It is in order pending the demand for the previous question on the passage of a bill to move the reconsideration of the vote on engrossment. (1221) *2–27, Journal, p. 1175, Globe, p. 799.*

It is not in order to reconsider the vote whereby the House refused to consider a bill. *3–55, Record, p. 197; 1–56, Record, p. 2453, Journal, p. 299.*

No bill referred to a committee may be brought back into the House on a motion to reconsider. (1191) *Rule XVIII, section 2.*

Interpretation of the rule that a bill may not be brought back from a committee by a motion to reconsider. (1195, 1196) *3–53, Journal, p. 22; 1–54, Record, p. 5208; 2–56, Record, pp. 1262, 1266.*

(*d*) ***In absence of a quorum.***

It has been decided that during a call of the House the motion to reconsider might be entertained and might be laid on the table, although there was no quorum. (318) *2–52, Journal, p. 77, Record, p. 1259.*

RECONSIDER—Continued.

(*d*) ***In absence of a quorum***—Continued.

In the absence of a quorum, it is not in order to move to reconsider a vote on which a quorum is required. *2–58, Record, p. 4077.*

A quorum not being present, an appeal has been entertained, and a motion to lay that appeal on the table, but a motion to reconsider was ruled out of order. (299) *1–44, Journal, p. 1492, Record, pp. 5647, 5649.*

Less than a quorum being sufficient to dispense with proceedings under a call, the same vote is sufficient on reconsideration and on a motion to table the motion to reconsider. (319) *2–43, Record, p. 1731.*

(*e*) ***In relation to yeas and nays.***

The order of the yeas and nays may be reconsidered by a majority vote, but they may be demanded again and ordered by one-fifth. (1225–1229) *1–19, Journal, p. 796, Debates, pp. 2458, 2490; 1–30, Journal, p. 405, Globe, p. 344; 2–30, Globe, p. 623; 1–45, Journal, p. 290, Record, pp. 811, 812; 1–54, Record, p. 5318.*

The vote whereby the yeas and nays are refused may be reconsidered. *1–56, Record, p. 4730.*

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. (1230) *1–50, Record, p. 7546.*

Decisions as to demanding the yeas and nays on motions relating to a reconsideration of an order of the yeas and nays. (1228, 1229) *1–45, Journal, p. 290, Record, pp. 811, 812; 1–54, Record, p. 5318.*

(*f*) ***In relation to a motion to lay on the table.***

A motion to reconsider a vote laying a motion to reconsider on the table is not in order. (1231, 1232) *3–27, Journal, pp. 310, 328, 334, Globe, p. 256; 1–33, Journal, p. 357, Globe, p. 397.*

It is not in order to move to reconsider the vote whereby an appeal from a decision of the Chair is laid on the table. (1231, footnote) *1–33, Journal, pp. 735, 762.*

A negative vote on a motion to lay on the table may be reconsidered. (1233, 1234) *2–32, Journal, p. 234; 1–52, Journal, pp. 113–115, Record, p. 2550.*

An affirmative vote on the motion to lay on the table may be reconsidered. (1231, footnote) *2–54, Record, p. 1947; 2–55, Record, p. 2448; 1–35, Journal, pp. 1118, 1136, Globe, pp. 3026, 3030, 3045; 3–58, Record, p. 278.*

The vote whereby the House refuses to lay a bill on the table having been once reconsidered, a second motion to reconsider such vote is not in order. (1234) *1–52, Journal, pp. 113–115, Record, p. 2550.*

RECORD.

See *Congressional Record.*

RECORDS OF A COMMITTEE.

It is not in order in the House to refer to the proceedings of a committee, or to read from the records thereof, except by authority of the committee. (713-716) *1-26, Journal, pp. 418, 423, Globe, p. 213; 1-31, Journal, p. 393, Globe, p. 214; 2-51, Journal, pp. 67, 174, Record, pp. 647, 1787, 1788.*

REFER.

(*a*) *Nature and privilege of the motion.*
(*b*) *General provisions.*
(*c*) *In relation to Committee of the Whole.*
(*d*) *Relation to conference reports.*
(*e*) *Presidents' messages.*
(*f*) *Motion to refer and previous question.*
(*g*) *With instructions.* See "Instructions."

(*a*) ***Nature and privilege of the motion.***

The motions to refer, commit, and recommit are, in effect, one motion, and are in general governed by the same rules. (1010) *1-47, Journal, p. 1724, Record, p. 6475.*

The parliamentary law as to commitment and recommitment. (995) *Jefferson's Manual, Section XXVIII, pp. 169, 170.*

It is a privileged motion and has a precedence determined by rule. (924) *Rule XVI, section 4.*

The motion to refer, the previous question not being ordered, has precedence of the motion to amend.. *1-57, Record, p. 2495.*

It is not in order to debate the merits of the main question on the motion to refer. (1042) *2-52, Journal, p. 101, Record, p. 1956; 2-57, Record, p. 20; 2-58, Record, p. 97.*

This motion, being once put and decided, is not allowable again on the same day at the same stage of the proceedings. (924) *Rule XVI, section 4.*

The previous question not being asked or ordered, the motion to commit is amendable, as by adding instructions. (1010) *1-47, Journal, p. 1724, Record, p. 6475.*

During consideration of a motion to suspend the rules and pass a bill, it is not in order to move to commit the bill. *2-56, Record, pp. 2589-2592.*

A question of consideration being pending, a motion to refer is not in order. *2-56, Record, p. 3093.*

Before the stage of disagreement has been reached the motion to refer Senate amendments has precedence of the motion to concur. (1343-1346) *1-48, Record, p. 3942; 2-52, Journal, p. 101, Record, p. 1954; 2-54, Record, p. 372; 2-55, Record, pp. 839, 840.*

REFER—Continued.

(*b*) ***General provisions.***

It is in order for the House to refer a bill to any committee, though such committee under Rule XI may not have original jurisdiction of such bill. (1023) *1-48, Journal, p. 703; 1-56, Record, p. 4823; 2-57, Record, p. 928.*

Instance wherein a select committee was authorized by the adoption by the House of a motion to refer. *2-58, Record, pp. 3151-3153.*

A particular clause of a bill may be committed without the whole bill, or so much of a paper to one and so much to another committee. (995) *Jefferson's Manual, Section XXVIII, p. 170.*

When a report is recommitted, what has passed before in the committee is of no validity, and the whole question is again before the committee. (995) *Jefferson's Manual, Section XXVIII, p. 169.*

On a motion to commit papers, the reading of them may be demanded; but the rulings differ as to testimony accompanying a report which is to be committed. (1240, 1241) *1-34, Journal, p. 1146, Globe, p. 1535; 2-50, Journal, p. 571, Record, p. 2118.*

A concurrent resolution fixing the day for final adjournment is privileged, but is subject to the motion to commit. (1520) *1-50, Journal, p. 2941, Record, pp. 9546, 9547.*

Discretion of the Speaker in referring to committees bills on the Speaker's table. *2-56, Journal, pp. 303-305, Record, pp. 3331-3337.*

(*c*) ***In relation to Committee of the Whole.***

A bill reported to the House for printing and recommitted is, when reported for consideration, subject to the point of order that it must be considered in Committee of the Whole. (999) *1-51, Journal, p. 830, Record, pp. 701, 5441.*

In Committee of the Whole the motion to report a bill with the recommendation that it be referred takes precedence of the motion to report it with the recommendation that it do pass. (745) *1-54, Record, p. 889.*

A motion to report a bill with a recommendation of recommittal is not in order in Committee of the Whole until the bill has been read for amendment. *2-56, Record, p. 996.*

A bill being reported from the Committee of the Whole with an adverse recommendation, it is in order to move to refer to a committee before the question is put on concurrence. (938) *Rule XXIII, section 7.*

A bill being under consideration in the House as in Committee of the Whole, a motion to refer was decided to be in order, although the reading by sections had not been entered upon. *1-56, Record, p. 4822, 4823.*

REFER—Continued.

(*d*) ***Relation to conference reports.***

It is not in order to recommit a conference report to the committee of conference when the report has already been acted on by the other House. (1412) *2-49, Record, p. 880; 1-57, Record, p. 7599.*

It is in order for one body to recommit a conference report if the other body, by action on the report, have not discharged their conferees. *2-58, Journal, p. 583, Record, pp. 4610, 4664, 4691, 4693; 1-59, Record, pp. 9475, 9546.*

A conference report made first in the Senate and there recommitted and again reported was acted on by the House after the Senate had agreed to it. *3-55, Record, pp. 2823, 2842, 2843, 2923-2925.*

A conference report may not be referred to the Committee of the Whole, although in the earlier history of the House this was sometimes done. (1410, 1411) *2-27, Journal, p. 1248, Globe, p. 868; 1-49, Journal, p. 2515, Record, p. 7932.*

A conference report may not be referred to a standing committee. (1413) *2-55, Record, p. 4636.*

(*e*) ***Presidents' messages.***

The method of referring and distributing the Presidents' annual messages. (1461, 1462) *1-51, Record, pp. 92, 188; 1-52, Record, p. 20; 1-54, Record, p. 26; 2-55, Record, p. 11.*

The House has decided that a veto message may be referred to a committee even without the bill. (1478) *2-27, Journal, pp. 1253-1257, Globe, pp. 873, 875, 905.*

While the simple motion to refer a vetoed bill is in order, it is not permissible to move to commit pending the demand for the previous question on the motion to reconsider the bill or after the previous question is ordered. (1479) *1-47, Journal, p. 1792, Record, p. 6803.*

(*f*) ***Motion to refer and previous question.***

The previous question may be moved on both the motion to refer and on the pending resolution. *2-58, Record, p. 103.*

It is in order, pending the motion for or after the previous question has been ordered on the passage of a bill, to submit a motion to commit, with or without instructions, to a standing or select committee. (959) *Rule XVII, section 1.*

The motion to refer under Rule XVII may be made pending the demand for the previous question, whether a bill or resolution be under consideration. *2-58, Record, pp. 448, 474, 475.*

REFER—Continued.

(*f*) ***Motion to refer and previous question***—Continued.

The motion to commit after the engrossment and third reading and its relation to the terms of special orders. (1277–1279) *2–50, Record, pp. 1062, 1401; 3–53, Journal, p. 102; 1–55, Record, pp. 71, 556.*

The question on the engrossment and third reading of a bill being determined in the negative, the motion to recommit under section 1 of Rule XVII may not be made. (1018, 1019) *3–53, Journal, p. 114; 2–54, Record, pp. 690, 725.*

The motion to commit under section 1 of Rule XVII is not in order before the engrossment and third reading, although the previous question may be ordered on the engrossment and third reading to the passage at one vote. (1015–1017) *1–54, Record, p. 5753; 2–55, Record, pp. 3015, 4649; 1–56, Record, p. 5921.*

The motion to recommit may be made after the engrossment and third reading of a bill, even though the previous question may not have been ordered. *3–55, Record, p. 1960.*

Only one motion to commit is in order pending the demand for the previous question on the passage of a bill or after the previous question is ordered. (1014) *1–48, Journal, pp. 338, 339, Record, p. 466; 1–56, Record, p. 3061.*

The motion to commit under section 1 of Rule XVII is subject to amendment, but is not debatable. (1012) *1–49, Journal, pp. 378, 379, Record, pp. 694, 695; 2–58, Record, pp. 4075, 4076.*

The motion to commit under section 1 of Rule XVII is amendable under the rules of the House unless the previous question is ordered upon it. (1011–1013) *1–48, Journal, p. 1430; 1–49, Journal, pp. 378, 379, Record, pp. 694, 695; 3–53, Journal, pp. 28, 29, Record, p. 230; 2–56, Record, p. 2100.*

The term "bill" as used in Rule XVII is a generic term and includes all legislative propositions which can come before the House. (1006) *1–48, Record, p. 4403.*

The motion to commit provided for in section 1 of Rule XVII may be applied to a motion to amend the Journal. (1001) *2–46, Record, pp. 1814, 1815.*

The previous question having been ordered and a motion to recommit having been made pending the vote on the passage, it was held that a motion to lay on the table the motion to recommit was not in order. (1000) *1–52, Journal, pp. 154, 155, Record, p. 3540.*

The motion to commit under section 1 of Rule XVII may not be subjected to a motion to lay on the table. *1–56, Record, p. 3061; 2–58, Record, p. 4075.*

REFER—Continued.

(*f*) ***Motion to refer and previous question***—Continued.

The opponents of a bill have no claim to prior recognition to make the motion to refer under Rule XVII. *2-58, Record, p. 5801.*

The previous question being ordered on a motion to concur in a Senate amendment to a House bill, it is in order to commit the bill and amendment to a committee with instructions. (1005) *1-53, Journal, p. 162, Record, p. 3060.*

Pending the motion for, or after the previous question is ordered on a report from the Committee on Rules, the motion to recommit is not admitted under the more recent practice of the House, although the rulings conflict. (1552-1555) *2-53, Journal, pp. 71, 72, 277, 280, Record, pp. 534, 3284; 1-54, Record, pp. 5382, 5469; 1-56, Record, pp. 4032, 6303, Journal, pp. 457, 647; 1-57, Record, pp. 1834, 1835; 2-58, Journal, p. 233, Record, pp. 1523-1525, 3708, 3709.*

The previous question having been ordered on the resolutions in a contested-election case and on a substitute therefor, a motion to recommit with instructions was held in order after the substitute had been voted on and when the question was on the final disposition of the resolutions. (1004) *1-52, Journal, p. 156, Record, pp. 3538-3540.*

When the previous question has been ordered on a resolution and a proposed amendment in the nature of a substitute, the motion to recommit is in order after the disposal of the substitute and when the question is pending on the passage. (1007-1009) *1-52, Journal, pp. 154, 155, Record, p. 3538; 1-51, Journal, p. 1014, Record, p. 9749; 1-54, Record, p. 4242.*

The vote whereby a bill was passed having been reconsidered, amendments having been made and the third reading ordered again, a motion to recommit was held to be in order, although such a motion had previously been rejected. (997) *1-51, Journal, p. 946, Record, pp. 8473-8476.*

The Committee of the Whole having decided between two propositions, and the House having agreed to the amendment embodying that decision, it was held to be in order in the House to move to recommit with instructions that in effect brought the two propositions to the decision of the House. *3-55, Record, pp. 2255, 2257.*

A bill recommitted with instructions under section 1 of Rule XVII, and reported back, must again be passed to be engrossed and read a third time, and, this having been done, may be again the subject of a motion to recommit when the question recurs on the passage. (996) *1-49, Journal, pp. 2168-2170, Record, pp. 6757, 6758.*

REFERENCE OF BILLS.

See "Bills."

REFORM IN THE CIVIL SERVICE, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (644) *Rules X, XI, section 36.*

REFORM SCHOOL OF THE DISTRICT OF COLUMBIA.

Trustee to be appointed by the Speaker. (48) *Supplement Revised Statutes, Vol. I, p. 104.*

REGULAR ORDER.

The rule prescribing the regular order of business. (344) *Rule XXIV, section 1.*

A demand for the regular order is equivalent to an objection to a request for unanimous consent. (446) *1-52, Journal, 2351, Record, p. 7028.*

See "Order of business."

REJECTION.

The rejection of a bill is notified by message to the House in which it originated. (1463) *Jefferson's Manual, Section XLVII, p. 211.*

RELATIONS OF THE TWO HOUSES.

See "Houses."

RELEVANCY IN DEBATE.

Rule regarding. (61) *Rule XIV, section 1.*

REPORTS.

(*a*) *General provisions.*
(*b*) *Printing and reading.*
(*c*) *From select and joint committees.*
(*d*) *From committee of the whole.*
(*e*) *In relation to committee of the whole.*
(*f*) *Questions as to the authorization of.*
(*g*) *Views of the minority.*
(*h*) *In relation to debate.*
(*i*) *Privileged reports in general.*
(*j*) *Not privileged.*
(*k*) *From the committee on rules.*
(*l*) *Of resolutions of inquiry.*
(*m*) *In relation to motion to recommit.*
(*n*) *Certain ones to be made.*
(*o*) *Of managers of conference.* See "Conference reports."

(*a*) ***General provisions.***

The report of a committee having been made to the House may not be withdrawn except by unanimous consent. (703) *1-49, Journal, p. 442.*

REPORTS—Continued.

(*a*) ***General provisions***—Continued.

A motion directing a committee of the House to report a matter before them is not in order. (698) *2–55, Record, p. 760.*

A committee may report a bill to the House with no recommendation for action. (696) *2–55, Report H. of R. No. 667; 1–59, Record, p. 2192, Report H. of R. No. 1057.*

Instance wherein a committee submitted a report on one feature of a bill with recommendation that it be referred to another committee for examination as to another feature. *1–59, Record, p. 880, Report H. of R. No. 1714.*

The report of a committee is generally in the nature of an argument or explanation, and does not by itself come before the House for amendment or other action. *1–56, Record, pp. 5328, 5329, Journal, p. 555.*

Instance wherein a privileged report which presented facts and conclusions but no legislative proposition was read to the House. *2–58, Record, pp. 4716, 4719, 4721.*

A question of privilege does not lose its privilege through any informality in the method of reporting it from a committee. (423) *2–53, Journal, pp. 50, 51, Record, p. 471.*

A report having been ordered to be made by a committee, but not being made within a reasonable time, a resolution relating thereto was decided to be privileged. (125a) *2–51, Journal, p. 174, Record, p. 1789.*

No bill referred to a committee may be brought back into the House on a motion to reconsider, and all bills reported from a committee must be accompanied by reports in writing. (1191) *Rule XVIII, section 2.*

A bill improperly reported from a committee is not entitled to its place on the Calendar. *3–55, Record, pp. 705, 851.*

Amendments reported from a committee as well as those offered from the floor must be germane. *1–56, Record, p. 4615, Journal, pp. 500, 501.*

Reports of findings of fact from the Court of Claims are referred to the committee having original jurisdiction in the matter. (1433) *1–50, Record, p. 110.*

Reports of judgments of the Court of Claims are transmitted to Congress at the first of every December session. (1437) *Revised Statutes, section 1057.*

The proceedings of a committee may not be published, as they are of no force until confirmed by the House, and a committee may receive a petition only through the House. (602) *Jefferson's Manual, Section XI, p. 146.*

REPORTS—Continued.

(*a*) ***General provisions***—Continued.

The rule establishing calendars for the reports of committees. (345) *Rule XIII, section 1.*

Reports of commissions are presented to the House like reports of committees. *2-56, Journal, p. 116, Record, p. 985; 2-58, Journal, p. 224, Record, p. 1421;* and when presented are referred to committees. *3-58, Record, pp. 449, 450, 571.*

A bill grouping together several distinct objects or works is sometimes reported instead of a series of individual bills. *1-57, Record, pp. 4820-4841, Journal, p. 659.*

(*b*) ***Printing and reading.***

The rule regulating the printing of reports. (1746) *Rule XLV.*

No bill reported from a committee for printing and recommitment may be brought back into the House on a motion to reconsider. (1191) *Rule XVIII, section 2.*

Provision as to the printing of preliminary reports for the use of committees. (1750) *28 Stat. L., p. 624.*

Illustrations in documents or reports are printed only on express authorization of the House. (*33 Stat. L., p. 1213.*) *1-59, Record, p. 360.*

On a motion to commit papers the reading of them may be demanded, but the rulings differ as to testimony accompanying a report which is to be committed. (1240, 1241) *1-34, Journal, p. 1146, Globe, p. 1535.*

The reading of a report, being in the nature of debate, is not in order after the previous question is ordered. (973, 974) *1-23, Journal, p. 726; 1-49, Record, pp. 7154, 7155.*

A Member may not have a report read at the Clerk's desk in his own time, if objection be made, without leave of the House; and even has been debarred from reading it himself in his place. *1-56, Record, pp. 4136, 4137; Jefferson's Manual, p. 175.*

(*c*) ***From select and joint committees.***

The report being made, a special committee is dissolved, but may be revived by a vote, and the same matter recommitted to it. (601) *Jefferson's Manual, Section XXVII, p. 169.*

A select committee that has reported, and consequently become dissolved, may be revived by a vote referring a matter to it or by a recommittal; but in case of recommittal with instructions the committee must in reporting confine themselves to the instructions. (693, 694, 695) *2-37, Journal, p. 874, Globe, pp. 2764, 2790; 3-37, Journal, pp. 487, 489, Globe, p. 1295.*

A joint committee may report in either House. *2-59, Record, pp. 698, 700.*

REPORTS—Continued.

(*d*) ***From Committee of the Whole.***

The Speaker recognizes only reports from the Committee of the Whole, made by the chairman thereof. *1-59, Record, pp. 7472-7473.*

Paragraphs ruled out in Committee of the Whole on points of order are not reported to the House. *1-59, Record, p. 6295.*

The Speaker may not revise or overrule in any way a report from the Committee of the Whole. (1652) *2-49, Record, p. 1059; 1-57, Record, p. 2813.*

An amendment reported from the Committee of the Whole as an entire and distinct proposition may not be divided, but must be voted on as a whole. (1112-1121) *1-28, Journal, p. 1061, Globe, p. 653; 1-29, Journal, pp. 366, 642, Globe, pp. 348, 349; 1-30, Journal, p. 1059, Globe, p. 948; 2-30, Journal, p. 574, Globe, p. 642; 2-32, Journal, p. 401, Globe, p. 1149; 2-37, Journal, p. 170, Globe, p. 305; 2-46, Journal, p. 816, Record, pp. 1713-1715; 2-51, Journal, p. 167; 2-53, Journal, pp. 130, 445, Record, pp. 1795, 6736, 6737.*

Amendments should be voted on in the order in which they are reported from the Committee of the Whole, although they may be inconsistent one with another. (1109) *2-53, Journal, p. 129, Record, pp. 1794, 1795.*

All amendments to a bill reported from the Committee of the Whole stand on an equal footing, and must be voted on by the House. *2-56, Record, p. 346.*

A series of bills having been reported from the Committee of the Whole, it was held, when they were taken up by the House, that they should be considered in the order in which the Journal showed them to have been reported from the Committee of the Whole. *3-55, Record, p. 1628; 1-59, Record, p. 3303.*

The Committee of the Whole having reported both a bill and resolution relating to an alleged breach of privilege, the Speaker put the question first on the bill. *2-56, Record, p. 2285.*

The Committee of the Whole having reported a proposition for action, the Speaker gave it precedence over a resolution offered from the floor by a Member in relation to the same subject. *2-56, Journal, p. 222, Record, pp. 2320, 2321.*

When a bill is reported from the Committee of the Whole with amendments, it is in order to submit additional amendments, but the first question is on the amendments reported. (1108) *1-29, Journal, p. 865, Globe, p. 876.*

REPORTS—Continued.

(*d*) ***From Committee of the Whole***—Continued.

It is a frequent practice for the House to agree at one vote to all the amendments of a bill reported from the Committee of the Whole, but it is the right of any Member to demand a separate vote on any or all of the amendments. (1110) *2-55, Record, p. 1363.*

The Committee of the Whole having voted to rise after the point of no quorum had been made, the bills which the committee had acted upon were reported to the House. (286) *1-54, Record, p. 1195.*

A bill being reported from the Committee of the Whole with the recommendation that the enacting clause be stricken out, the question of concurrence is debatable in the House, and the motion to lay on the table is not in order. (939, 940) *1-43, Journal, p. 629, Record, p. 2342; 2-53, Journal, pp. 21, 22, Record, pp. 120, 121.*

A bill being reported from the Committee of the Whole with an adverse recommendation, and the House having disagreed to the recommendation, the bill stands recommitted. (938) *Rule XXIII, section 7.*

A Committee of the Whole sometimes reports a bill with the recommendation that it be recommitted to a standing committee with certain instructions. (748) *1-51, Record, p. 7263.*

The Committee of the Whole having made a report which was not in order, the matter was decided to stand recommitted to the Committee of the Whole without further action. (749) *1-51, Journal, p. 485, Record, p. 3504.*

The Committee of the Whole having risen because a quorum had failed, the bills that had been laid aside to be reported remained in the committee until the next occasion when the committee rose without question as to a quorum. (753) *1-54, Record, pp. 4914, 5011.*

If a Committee of the Whole amend a paragraph, and subsequently strike out the paragraph as amended, the first amendment falls and is not reported to the House or voted on. (754) *2-31, Journal, p. 346, Globe, p. 679.*

An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. *1-56, Record, pp. 3865, 3866; 2-56, Record, pp. 112-122; 2-57, Record, pp. 924, 925; 2-59, Record, pp. 4371, 4372.*

The fact that the vote whereby the Committee of the Whole rose did not show a quorum was held not sufficient to prevent the reception of the report of the committee by the House. (752) *1-35, Journal, pp. 814, 822, Globe, p. 2141.*

REPORTS—Continued.

(*d*) ***From Committee of the Whole***—Continued.

There is a question as to whether or not the recommendation of the Committee of the Whole that a bill do lie on the table may be accepted in the House as a motion to lay the bill on the table. (755) *2-54, Record, p. 1069.*

The Committee of the Whole having no control over the Congressional Record, reported to the House an alleged breach of privilege involved in the reading of an anonymous letter in the committee, and the House struck the letter from the Record. *2-56, Journal, p. 222, Record, pp. 2320, 2321.*

Form of report from Committee of the Whole on a bill considered under a restrictive special order. *3-58, Record, pp. 1947, 2205.*

An amendment reported from the Committee of the Whole may not be withdrawn, and a question as to its validity is not considered by the Speaker. *2-59, Record, pp. 4371, 4372.*

(*e*) ***In relation to Committee of the Whole.***

A bill reported to the House for printing, and recommitted, is, when reported for consideration, subject to the point of order that it must be considered in Committee of the Whole. (999) *1-51, Journal, p. 830, Record, pp. 701, 5441.*

A motion to lay a bill aside with a favorable recommendation in Committee of the Whole being decided in the negative the bill, in the absence of further action, goes back to place on the Calendar. *1-59, Record, p. 3302.*

As to the motions in order when a bill again comes up in Committee of the Whole after the Committee has refused to report it either favorably or unfavorably. *1-59, Record, pp. 3301, 3302, 7089-7091.*

A committee having reported a public bill grouping together the authorization of several distinct works, all within the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. (697) *1-52, Record, pp. 6168, 6173.*

A bill which has been considered in Committee of the Whole and then by the House has been recommitted to a standing committee is not, when again reported to the House, necessarily subject to the point of order that it must be considered in Committee of the Whole. (799, 800) *1-50, Record, p. 4793; 1-54, Record, p. 3781.*

In Committee of the Whole the motion to report with a favorable recommendation has precedence of the motion to report with an unfavorable recommendation; and the negative of the former motion is not equivalent to the affirmative of the latter. (746) *1-54, Record, p. 1742.*

REPORTS—Continued.

(e) *In relation to Committee of the Whole*—Continued.

Bills in Committee of the Whole may be reported with the recommendation that they be postponed or referred, and the latter recommendation has precedence over the recommendation that the bill do pass. (741, 745) *1-54, Record, p. 889; 2-55, Record, p. 843; 1-59, Record, pp. 5748, 7089, 7091.*

In Committee of the Whole a motion to report a bill with the recommendation that it lie on the table has precedence of the recommendations that it be postponed to a day certain or be recommitted to a standing committee. (747) *2-55, Record, pp. 3923, 3924.*

A motion to report a bill with a recommendation of recommittal is not in order in Committee of the Whole until the bill has been read for amendment. *2-56, Record, p. 996.*

Reading of a bill for amendments being concluded in Committee of the Whole, motions ordering it to be reported are not debatable. *1-59, Record, pp. 7089-7091.*

The Committee of the Whole may not report a recommendation which, if carried into effect, would change a rule of the House. (749, 750) *1-51, Journal, p. 485, Record, p. 3504; 1-54, Record, p. 1310.*

The hour previously fixed for the adjournment of the House arriving while the Committee of the Whole is still in session, the Chairman may direct the committee to rise and make his report as though the committee had risen on motion in the regular way. (758) *1-54, Record, p. 3062.*

(f) *Questions as to authorization of.*

Although committees meet when and where they please (except that they may not sit during sessions of the House without leave), they can only agree to a report acting together. (601) *Jefferson's Manual, Section XXVI, p. 166; 3-58, Record, p. 602.*

It is not the invariable practice for all the Members agreeing to a report to sign it. (685, footnote) *2-25, Globe, pp. 343, 349.*

The House having voted to consider a report or having actually begun consideration, it is too late to question whether or not the report has been made properly. (692) *1-54, Journal, p. 595, Record, p. 6331; 1-59, Record, pp. 7246, 7247.*

Objection being made that a report has not been properly authorized by a committee, and there being doubt as to the validity of the authorization, the question as to the reception of the report is submitted to the House. (685-687) *2-27, Journal, p. 1410, Globe, p. 940; 3-40, Globe, p. 1385; 3-53, Journal, p. 99.*

REPORTS—Continued.

(*f*) ***Questions as to authorization of***—Continued.

It being shown that a majority of a committee had met and authorized a report, the Speaker did not heed the fact that the meeting was not regularly called. *1-59, Record, p. 8002.*

The Speaker being satisfied of the correctness of the authorization of a report, may decide that it shall be received. (688, 689) *1-34, Journal, pp. 1144, 1433, 1434, Globe, pp. 1529, 1530, 2069.*

A committee having authorized one report, and then, after reconsideration, having authorized another, the House voted to receive the first report. (690) *1-26, Globe, pp. 419, 426, 428, 429.*

The question of the sufficiency of a report in writing made by a committee is a matter to be passed upon by the House, but not by the Speaker. (704) *1-48, Journal, p. 516.*

Four members of a committee composed of nine having been authorized by the committee to submit to the House a report, a question arose as to whether or not the matter submitted by the four was the report of the committee. (691) *2-55, Record, pp. 3800, 3804.*

(*g*) ***Views of the minority.***

The minority of a committee may not make a report, but may file their views, which may be placed on the Calendar under the rules. (707-711) *1-24, Journal, p. 561, Globe, p. 261; 2-27, Globe, p. 248; 1-31, Globe, p. 1343; 2-41, Globe, p. 954; 1-47, Journal, p. 1709, Record, pp. 6417-6419.*

The rule requires that the views of the minority shall be presented at the same time as the report of the committee. (712) *1-54, Record, p. 6112.*

Views of the minority may not include transcripts of testimony or other matters not strictly in the nature of an argument. *1-56, Record, pp. 6759, 6760.*

(*h*) ***In relation to debate.***

The Member reporting the measure under consideration may open and close, where general debate is had; and may have an additional hour to close if the debate extend beyond a day. (860) *Rule XIV, section 3.*

The right of "the Member reporting the measure under consideration from a committee" to close the debate, and the relations of that right to the previous question and to the limitation of debate in Committee of the Whole. (866-869) *1-31, Journal, p. 1056, Globe, p. 1308; 2-44, Journal, pp. 201, 202, Record, pp. 574, 708; 1-48, Journal, pp. 338, 339, Record, pp. 466, 1167.*

A committee report that a resolution lie on the table does not preclude debate until the Member in charge of the report makes the motion. *2-58, Record, pp. 1259, 1260.*

REPORTS—Continued.

(*i*) ***Privileged reports in general.***

The rule establishing certain privileged reports which may be made from certain committees at any time. (398) *Rule XI, section 61.*

The right to report at any time carries with it the right to have the matter reported considered. (399, 400) *1-32, Journal, p. 195, Globe, p. 253; 1-32, Journal, p. 1009, Globe, p. 2065.*

The right to report at any time carries with it the right that the bill so reported shall remain privileged until disposed of. (401) *1-49, Journal, p. 2360, Record, p. 7602.*

Bills from a committee having leave to report at any time must be reported in open House and not by filing them with the Clerk. (422) *1-51, Journal, p. 392, Record, p. 2713.*

Privileged reports are sometimes printed and recommitted. (421) *1-54, Record, p. 6197.*

The passage of a general bill on a certain subject does not exhaust the privilege of a committee on that subject. (416) *2-51, Journal, p. 255, Record, p. 2799.*

In exercising the right to report at any time, committees may not include matters not specified by the rule as within the privilege. (405-407) *1-54, Record, p. 1294; 1-50, Record, p. 2195; 2-50, Record, pp. 47, 48.*

A privileged report is not in order on a day set apart by special order for another class of business. (1280) *1-52, Journal, p. 239, Record, pp. 5573, 5574.*

When a bill has been made a special order for a certain day, its consideration takes precedence on such day over privileged reports. (1264) *1-49, Record, p. 7276.*

At the end of sixty minutes the morning hour may be interrupted by a privileged report. (382) *1-51, Journal, p. 969, Record, p. 8819.*

The Speaker has declined to allow the call of committees to be interrupted by a privileged report. *2-57, Record, p. 420.*

The right to report at any time a bill raising revenue belongs alone to the Ways and Means Committee. (404) *1-49, Record, pp. 7331, 7332.*

The right of the Committee on Appropriations to report at any time is confined to general appropriation bills. (409-412) *2-44, Journal, p. 394, Record, p. 1320; 1-52, Journal, p. 348, Record, p. 6966; 2-55, Record, pp. 1589, 4500.* But under the more recent practice extends to bills appropriating for general objects. *1-56, Record, pp. 2664, 3799.*

REPORTS—Continued.

(*i*) ***Privileged reports in general***—Continued.

The privilege of the Committee on Printing is confined to printing for the use of the two Houses, and the presence of matter not privileged destroys the privileged character of the report. (419, 420) *1-52, Journal, p. 292, Record, p. 6166; 1-53, Journal, p. 80.*

A bill relating to the taking of the census was held to be privileged because of the constitutional requirement. *1-56, Record, p. 884, Journal, p. 166.*

(*j*) ***Not privileged.***

The rule regulating the making of nonprivileged reports from committees. (346) *Rule XIII, section 2.*

The rule establishing the Calendars for the reports of committees. (345) *Rule XIII, section 1.*

The report of a special committee appointed "to examine and report" on a certain subject is not privileged for consideration. (424) *2-54, Record, p. 2211.*

(*k*) ***From Committee on Rules.***

The Committee on Rules has leave to report at any time, and pending consideration of the report one motion to adjourn may be entertained, but thereafter no dilatory motion. (398) *Rule XI, section 59.*

The practice of the Committee on Rules reporting in part at different times was sanctioned by the decision that a committee having leave to report at all times may report in part at different times. (1538) *1-27 Journal, p. 204.*

Pending a report from the Committee on Rules, one motion to adjourn is in order, and thereafter no other dilatory motion, even of the highest privilege, is in order. (1544-1546) *1-52, Journal, p. 126, Record, p. 2837; 1-53, Journal, pp. 96, 97, 98; 2-53, Journal, pp. 520, 521, Record, p. 8009.*

Pending consideration of a report from the Committee on Rules, the question of consideration and appeals has been ruled out of order as dilatory. (1547) *1-53, Journal, pp. 96, 97, 98.*

It has been held once that the Committee on Rules has jurisdiction to report a matter not referred to them. (1548) *2-53, Journal, p. 61, Record, p. 502.* See, however, (661-665) *1-31, Journal, p. 590; 1-45, Journal, p. 159, Record, p. 256; 1-48, Journal, p. 1108; 1-51, Journal, p. 967, Record, p. 8772; 1-53, Journal, pp. 96-98.*

The question as to whether or not a question of privilege should have precedence of a report from the Committee on Rules. (1549-1551) *2-53, Journal, pp. 71, 72, Record, pp. 485, 527; 2-53, Journal, p. 132, Record, p. 1809; 1-55, Record, p. 2478.*

REPORTS—Continued.

(*k*) ***From Committee on Rules***—Continued.

A special order fixing a day for particular business is a change of rules and may be reported at any time as a privileged question by the Committee on Rules. (1539) *1-49, Journal, p. 2171, Record, pp. 6759, 6760.*

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. *2-56, Journal, p. 293; Record, p. 3236.*

(*l*) ***Of resolutions of inquiry.***

The rule provides that resolutions of inquiry shall be reported back within one week. (425) *Rule XXII, section 5.*

A resolution of inquiry loses its privileged character if matter not privileged be contained therein. (433) *2-55, Record, pp. 3908, 3909.*

At the expiration of a week a motion to discharge a committee from the consideration of a resolution of inquiry is privileged, although the resolution may have been delayed in reaching the committee. (431) *1-53, Journal, pp. 106, 107.*

A resolution of inquiry not being reported back within one week, a motion to discharge the committee from the consideration of it presents a question of privilege. (426–430) *1-47, Journal, p. 1124, Record, p. 3275; 1-49, Journal, p. 1420, Record, pp. 3929, 3930; 2-51, Record, pp. 2456, 2457; 1-52, Journal, pp. 107, 296, Record, pp. 2192, 6218.*

A resolution of inquiry may be reported at any time within a week and is privileged for consideration when reported. (430) *1-52, Journal, p. 296, Record, p. 6218.*

(*m*) ***In relation to motion to recommit.***

When a report is recommitted, what has passed before in the committee is of no validity and the whole question is again before the committee. (601, 995) *Jefferson's Manual, Section XXVIII, p. 169.*

It is not in order to move to recommit a bill with instructions to the committee to report an amendment which is not germane. (1023–1031) *1-48, Journal, pp. 703, 1247, Record, pp. 4256, 4257; 2-35, Journal, p. 389, Globe, pp. 1007, 1009; 2-53, Journal, pp. 446, 453, Record, pp. 6739, 6908; 2-51, Journal, p. 165, Record, p. 1638; 1-55, Record, pp. 939, 1187; 2-55, Record, p. 811.*

A bill may be recommitted with instructions that it be reported "forthwith," and the report may be made at once by the chairman of the committee, and is not subject to the point that it must be considered in Committee of the Whole if it has previously been considered there. (1022) *2-51, Journal, pp. 312–321, Record, pp. 3505–3508.*

REPORTS—Continued.

(*m*) ***In relation to motion to recommit***—Continued.

On a motion to recommit with instructions the instructions may not authorize the committee to report at any time, as such would be a change of the rules. (1020, 1021) *2-44, Journal, p. 297, Record, p. 926; 2-47, Journal, p. 229, Record, pp. 1147, 1148.*

A bill recommitted with instructions to report forthwith may be reported immediately by the chairman without formal action of the committee. (702) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508; 1-56, Record, p. 3866.*

On a motion to recommit with instructions it is in order to direct the committee as to when they shall report back the bill. (700-701) *2-51, Journal, pp. 312-321, Record, pp. 3505-3508; 1-51, Journal, p. 713, Record, p. 5813.*

A bill having been recommitted to a committee, with leave to report at any time, and being immediately reported by the chairman, is subject to the point of order that the committee have not considered it. (699) *2-50, Journal, p. 536, Record, p. 2028.*

(*n*) ***Certain ones required to be made.***

The Doorkeeper's inventory of furniture, etc., is reported to the House at the beginning and close of each session and referred to the Committee on Accounts for examination, etc. (1719) *Rule V, section 2.*

The Clerk makes report to the House of the receipts and expenditures of his office and the property under his charge. (1714) *Revised Statutes, sections 60, 61, 63, 70, 72.* The Sergeant-at-Arms also makes report. (1717) *Revised Statutes, section 72.*

It is the duty of the Clerk to have printed and delivered to each Member a list of the reports required to be made to Congress. (1711) *Rule III, section 2.*

REPORTERS.

The appointment, removal for cause, and supervision of the official reporters are vested in the Speaker. (1678) *Rule XXXVI, section 1.*

The office of reporter of debates is created by resolution reported from the Committee on Accounts and agreed to by the House. *2-53, Journal, p. 76, Record, p. 387.*

The Record is for the proceedings of the House only, and matters not connected therewith are rigidly excluded. (1686) *2-54, Record, p. 2258.*

A Member is not entitled to inspect the reporters' notes of remarks delivered by another Member and which have been held for revision. (1688) *2-53, Journal, p. 435, Record, p. 6418.*

REPORTERS—Continued.

A Member should not correct the notes of his own speech in such a way as to affect the remarks of an opponent in controversy without bringing the correction to the attention of that Member. (1689) *2-55, Record, pp. 120, 129.*

No rule requires the official reporters to insert in the Record everything that may be read in the House. (1683, 1684) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125.*

A Member may not as a matter of right demand the reading of the reporters' notes. (1683, 1684) *2-48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1-53, Journal, p. 125.*

The rule relating to the accommodation of newspaper reporters and correspondents on the floor and in the press gallery. (1742) *Rule XXXVI, section 2.*

Alleged misconduct of an occupant of the press gallery, although occurring during a former Congress, was brought before the House as a matter of privilege. (123) *1-48, Journal, p. 444, Record, p. 741.*

Alleged libelous statements of a reporter being made a subject of privilege, the reporter was at once arrested, brought to the bar of the House, and interrogated. (122) *2-41, Journal, pp. 957, 961, 962, 1068, Record, pp. 4315, 4318, 4320, 4692.*

A resolution as to an alleged false and scandalous report of the proceedings of the House by one of its reporters presented as a matter of privilege. (120) *2-29, Journal, p. 320, Globe, p. 359.*

One reporter having assaulted another in the presence of the House, punishment for breach of privilege was inflicted. (165) *1-24, Journal, pp. 983, 985, 1021, Globe, pp. 436, 437, 450.*

REPRESENTATIVES IN CONGRESS.

Subjects relating to the election of, belong to the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. (645) *Rule XI, section 37.* [Except contested-election cases.]

Subjects relating to the apportionment of, belong to the jurisdiction of the Committee on the Census. *Rule XI, section 58.*

REQUEST.

When a bill, resolution, or memorial is introduced "by request" the words are entered on the Journal and Record. (451) *Rule XXII, section 4.*

RESCIND.

Motion to, not one of the privileged motions. (924, footnote) *Rule XVI, section 4; 1-48, Journal, p. 1051.*

RESCIND—Continued.

The motion has been used in the House. (5, 927, footnote) *1-34, Journal, pp. 429, 430, 444; 2-43, Journal, p. 618, Record, p. 2084; 1-44, Record, p. 2887.*

A resolution rescinding a special order was held, upon being submitted to the House, not to be in order as a privileged motion. (927) *1-48, Journal, p. 1051.*

An entry in a Journal of a preceding Congress has been rescinded by order of the House. (927, footnote) *2-43, Journal, p. 618, Record, p. 2084; 1-44, Record, p. 2887.*

A motion which in effect rescinded a rule of the House, having been offered without objection and agreed to by the House, was held to be in force as against the rule. *3-55, Record, pp. 1691, 1712.*

RESERVING POINTS OF ORDER.

It is a common practice for a Member to reserve a point of order, and if he does not insist upon it another Member may make the point. (1663) *2-55, Record, p. 6092.*

A point of order may not be reserved by a Member if another Member insists on an immediate decision. *1-56, Record, p. 4717; 2-56, Record, pp. 1429, 1430; 2-58, Record, p. 3442; 2-59, Record, p. 3373.*

A reserved point of order being withdrawn, a Member may at once renew it. *2-56, Record, p. 2486.*

An amendment may not be offered to a paragraph in a bill until a point of order reserved against the paragraph has been disposed of. *2-58, Record, pp. 3994, 3995-4068.*

Points of order against a conference report should be made or reserved before discussion begins. *2-56, Record, p. 3163.*

Points of order are reserved at the time of committal only on general appropriation bills. *1-59, Record, p. 6840.*

RESIGNATION.

A Member may resign at any time without question by the House, and, having resigned, his rights as a Member cease at once. (30) *2-41, Journal, p. 373, Globe, pp. 1469, 1523, 1544-1546.*

A Member sometimes notifies the House that he has tendered his resignation, to take effect at a future date. *2-57, Journal, p. 92-97; Record, pp. 622, 628; 1-59, Record, pp. 1588, 1604, 1627; 2-59, Record, p. 370.*

Name of Member who had tendered resignation to governor of State remained on the roll. (13) *2-48, Report, H. of R. No. 2679.*

The request of a Member that he be relieved from service on a committee is submitted to the House for approval. *1-56, Record, p. 885, Journal, p. 166.*

RESIGNATION—Continued.

The credentials of a Member-elect indicating that he had been elected before the resignation of his predecessor took effect, objection was made and the oath was not administered until new credentials were produced. *2-56, Journal, pp. 5, 20, Record, pp. 15, 46.*

The resignation of a Member is often sent to the State executive, the House being informed of that fact by a letter to the Speaker. *1-57, Journal, p. 669, Record, p. 4978.*

A Member-elect's letter of resignation, transmitted to the Speaker before the election of that officer, was laid before the House after organization. *1-57, Journal, p. 6, Record, p. 45.*

The chairman of a committee, with the permission of the House, may resign as chairman, still remaining a member of the committee. *2-56, Journal, p. 25, Record, p. 66.*

RESIDENT COMMISSIONER.

The Resident Commissioner from Porto Rico has certain of the privileges of Delegates and may serve on the Committee on Insular Affairs. *Rule XII section 2.*

RESOLUTIONS.

(*a*) *General provisions.*
(*b*) *The preamble.*
(*c*) *Signature and approval.*
(*d*) *In relation to previous question and motion to refer.*
(*e*) *Of inquiry.* See "Inquiry."

(*a*) ***General provisions.***

A joint resolution is a bill within the meaning of the rules. (459) *3-27, Globe, p. 384.*

Distinction between orders and resolutions. (454) *Jefferson's Manual, Section XXI, p. 163.*

Provisions of the statutes relating to resolutions. (455) *Revised Statutes, sections 7-11; Supplement, R. S., Vol. 2, p. 349; 28 Stat. L., p. 609, section 55.*

The forms of enacting and resolving clauses of joint resolutions are prescribed by statute. (455) *Revised Statutes, sections 7, 8.*

Enacting and resolving words must be confined to the first section of bills and resolutions. (455) *Revised Statutes, section 9.*

Form of resolving words in concurrent resolutions. (1532.)

It was decided, by reason of conditions arising from former rule No. 114, that a resolution of the House could not be amended so as to convert it into a joint resolution. (456) *1-32, Journal, p. 679, Globe, p. 1275.*

REPORTS—Continued.

(*d*) ***From Committee of the Whole***—Continued.

There is a question as to whether or not the recommendation of the Committee of the Whole that a bill do lie on the table may be accepted in the House as a motion to lay the bill on the table. (755) *2-54, Record, p. 1069.*

The Committee of the Whole having no control over the Congressional Record, reported to the House an alleged breach of privilege involved in the reading of an anonymous letter in the committee, and the House struck the letter from the Record. *2-56, Journal, p. 222, Record, pp. 2320, 2321.*

Form of report from Committee of the Whole on a bill considered under a restrictive special order. *3-58, Record, pp. 1947, 2205.*

An amendment reported from the Committee of the Whole may not be withdrawn, and a question as to its validity is not considered by the Speaker. *2-59, Record, pp. 4371, 4372.*

(*e*) ***In relation to Committee of the Whole.***

A bill reported to the House for printing, and recommitted, is, when reported for consideration, subject to the point of order that it must be considered in Committee of the Whole. (999) *1-51, Journal, p. 830, Record, pp. 701, 5441.*

A motion to lay a bill aside with a favorable recommendation in Committee of the Whole being decided in the negative the bill, in the absence of further action, goes back to place on the Calendar. *1-59, Record, p. 3302.*

As to the motions in order when a bill again comes up in Committee of the Whole after the Committee has refused to report it either favorably or unfavorably. *1-59, Record, pp. 3301, 3302, 7089-7091.*

A committee having reported a public bill grouping together the authorization of several distinct works, all within the jurisdiction of the committee, it was held that no point of order could be sustained when the bill came up in Committee of the Whole. (697) *1-52, Record, pp. 6168, 6173.*

A bill which has been considered in Committee of the Whole and then by the House has been recommitted to a standing committee is not, when again reported to the House, necessarily subject to the point of order that it must be considered in Committee of the Whole. (799, 800) *1-50, Record, p. 4793; 1-54, Record, p. 3781.*

In Committee of the Whole the motion to report with a favorable recommendation has precedence of the motion to report with an unfavorable recommendation; and the negative of the former motion is not equivalent to the affirmative of the latter. (746) *1-54, Record, p. 1742.*

RESOLUTIONS—Continued.

(*d*) ***In relation to previous question and motion to refer.***

The term "bill," as used in Rule XVII, is a generic term and includes all legislative propositions which can come before the House. (458, 1006) *1-48, Journal, p. 1296, Record, p. 4403.*

The motion to refer under Rule XVII may be made pending the demand for the previous question, whether a bill or resolution be under consideration. *2-58, Record, pp. 448, 474, 475.*

The previous question having been ordered on the resolutions in a contested-election case, and on a substitute therefor, a motion to recommit with instructions was held in order after the substitute had been voted on and when the question was on the final disposition of the resolutions. (1004) *1-52, Journal, p. 156, Record, pp. 3538-3540.*

When the previous question has been ordered on a resolution and a proposed amendment in the nature of a substitute, the motion to recommit is in order after the disposal of the substitute and when the question is pending on the passage. (1007-1009) *1-52, Journal, pp. 154, 155, Record, p. 3538; 1-51, Journal, p. 1014, Record, p. 9749; 1-54, Record, p. 4242.*

A motion to recommit a bill with instructions to bring the same subject-matter back in the form of a joint resolution is in order. (1012) *1-49, Journal, pp. 378, 379, Record, pp. 694, 695.*

RESOLUTIONS OF INQUIRY.

See "Inquiry."

RESTAURANT.

The House restaurant was formerly under the supervision of the Committee on Public Buildings and Grounds. (1765) *1-41, Journal, p. 201.*

No intoxicating liquors of any character shall be sold within the limits of the Capitol building of the United States. *32 Stat. L., p. 1221.*

The act of Congress of March 3, 1893, chapter 204, regulating the sale of intoxicating liquors in the District of Columbia, does not apply to the Congressional restaurants located and conducted in the Capitol building under the rules and regulations of Congressional committees for the use and convenience of Members of Congress, and the persons conducting such restaurants are not required to take out licenses under such act. *Page* v. *District of Columbia, Appeal Cases, District of Columbia, 20 Tucker, p. 469.*

RETIRED LIST OF ARMY.

An officer on, may draw salary as Member of Congress. (12) *Decision of Second Comptroller C. H. Mansur, February 24, 1894.*

RETURNS.

The House is the judge of the elections, returns, and qualifications of its own Members. *Constitution, Article I, section 5, p. 5.*

REVENUE.

Subjects relating to, are in the jurisdiction of the Committee on Ways and Means. (611) *Rule XI, section 2.*

The Committee on Insular Affairs has jurisdiction of all subjects (excepting those affecting the revenue and appropriations) relating to Cuba, Porto Rico, Guam, and the Philippines. *Rule XI, section 18.*

It is for the House and not the Speaker to decide whether or not a Senate amendment to a revenue bill violates the privileges of the House. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. *1-57, Record, p. 3847; 3-58, Record, p. 1778; 1-59, Record, pp. 2453, 2455.*

A question as to the prerogatives of the House in relation to treaties affecting the revenue. *1-57, Journal, p. 287, Record, p. 1178.*

A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. *2-56, Record, p. 140.*

A bill increasing the rate of postage has been held to affect the revenues, and therefore to require consideration in Committee of the Whole. *2-56, Journal, p. 22, Record, pp. 50-52.*

REVENUE BILLS.

The rule giving revenue and general appropriation bills precedence on the motions of the appropriate committees. (399) *Rule XVI, section 9.*

The motion to go into Committee of the Whole to consider revenue bills and the motion to do the same to consider appropriation bills are of equal privilege. (395) *2-52, Journal, p. 108.*

A motion to go into Committee of the Whole House on the state of the Union to consider revenue bills has precedence on Friday. *3-55, Record, p. 266.*

The House having resolved itself into Committee of the Whole for the purpose of considering a particular revenue or general appropriation bill, the Committee of the Whole may not take up another bill. (738) *3-46, Record, p. 1357.*

The Committee on Ways and Means may report revenue bills at any time. (398) *Rule XI, section 61.*

REVENUE BILLS—Continued.

The right to report at any time a bill raising revenue belongs only to the Ways and Means Committee. (404) *1-49, Record, pp. 7331, 7332.*

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. (408) *2-55, Record, p. 4581; 1-57, Record, p. 3847.*

A bill providing for a tariff commission was decided not to be a revenue bill within the meaning of the rule giving such bills privilege. (403) *1-47, Record, pp. 1681-1687.*

The Constitution provides that all bills raising revenue shall originate in the House. (452) *Constitution, Article I, section 7, p. 7.*

The House maintains that customs duties may not be changed otherwise than by an act of Congress originated by itself. *1-58, Report, No. 1, Journal, p. 81, Record, pp. 260-276, 361-389.*

Approvals by Congress of reciprocity treaties affecting customs duties. *10 Stat. L., pp. 587, 1092; 13 Stat. L., p. 566; 19 Stat. L., p. 200; 24 Stat. L., p. 988; 25 Stat. L., p. 1370.*

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. (139) *2-49, Journal, pp. 349, 350, Record, p. 917.*

The question as to the invasion of the privilege of the House when the Senate has originated revenue bills. (133-135) *2-27, Journal, p. 287, Globe, pp. 195, 196; 2-45, Journal, p. 1303, Record, pp. 4605-4614; 2-48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962; 3-58, Record, pp. 2730-2736, 2766-2770; 1-59, Record, pp. 383, 432, 452, 581.*

REVISION OF THE LAWS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (643) *Rule X, Rule XI, section 35.*

RIDER RULE.

See "Appropriation bills."

RIDING PAGES.

The pages of the House, except the chief pages, riding pages, and telephone pages, shall not be under 12 or over 18 years of age. *31 Stat. L., p. 968.*

RISING OF THE COMMITTEE.

See "Committee of the Whole."

RIVER AND HARBOR BILL.

The river and harbor bill not being one of the general appropriation bills, the rule relating to legislation on such bills does not apply to it. (381, 461, 569, 919, 1644, 1645) *1-51, Journal, p. 660, Record, p. 5239; 1-51, Record, pp. 5362, 5397; 3-46, Record, pp. 1618-1624; 1-48, Record, p. 5014; 2-48, Record, pp. 1604-1612, 1677, 1927, 2097; 2-56. Record, p. 1091; 3-58, Record, p. 3202; 2-59, Record, pp. 2469, 2470.*

Points of order being reserved, paragraphs including matter of which River and Harbor Committee has no jurisdiction, such as canals, may be ruled out in Committee of the Whole. (1644, 1645) *1-48, Record, p. 5014; 2-48, Record, pp. 1677, 1927, 2097; 2-59, Record, p. 2467.*

River and harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. *1-36, Record, pp. 5198, 5199; 2-57, Record, pp. 2081-2083; 2-58, Record, p. 4000.*

A subject of which the River and Harbor Committee has jurisdiction may be reported in the river and harbor bill. *3-58, Record, pp. 3225, 3226.*

A provision relating to a commission to investigate the conditions and uses of waters adjacent to an international boundary line was ruled out of the river and harbor bill as not being within the jurisdiction of the Committee on Rivers and Harbors. *2-59, Record, p. 2469.*

An amendment prohibiting the employment of nonresident foreigners on certain river and harbor works was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1095, 1096.*

An amendment providing for a system of irrigating arid lands was held not to be germane to the river and harbor bill. *2-56, Record, pp. 1057, 1058.*

A proposition to improve the harbor of a foreign country was held not to be germane to the river and harbor bill. *1-57, Record, p. 3093.*

RIVERS AND HARBORS.

The Appropriations Committee may report appropriations for improvement of rivers and harbors that have been authorized by law and placed under contract. (674) *2-52, Record, pp. 1023, 1065.*

RIVERS AND HARBORS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (617) *Rules X, XI, section 8.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

The River and Harbor Committee may request of the Chief of Engineers an examination and report as to certain projects of improvement. *32 Stat. L., p. 372.*

RIVERS AND HARBORS, COMMITTEE ON—Continued.

Relation of the Committee on Levees and Improvements of the Mississippi River with the Committee on Rivers and Harbors. *2-56, Record, pp. 1094, 1095.*

ROBERTS, BRIGHAM H.

The House excluded Brigham H. Roberts for disqualification. *1-56, Record, pp. 5, 38-53, 1072-1104, 1123-1149, 1175-1217, Journal, pp. 6, 34, 187, 192, 196-198, Report H. of R. No. 85.*

ROLL.

At the beginning of each Congress the Clerk makes up the roll of Members-elect, and declines to entertain motions to amend that roll when the House meets. (1714, 1710, footnote) *Revised Statutes, section 31; 1-41, Globe, p. 3; 1-43, Record, p. 5; 1-45, Journal, pp. 9, 10.*

Formerly motions to amend the roll were quite frequent. *1-38, Journal, p. 7.*

At the beginning of each Congress the Clerk calls the Members to order, calls the roll, and presides pending the election of Speaker, deciding questions of order subject to an appeal. (1710) *Rule III, section 1.*

In the absence of Clerk and Sergeant-at-Arms the Doorkeeper makes up the roll of Members at the beginning of Congress. (1721) *Revised Statutes, section 33.*

The names of members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the Journal. *1-59, Record, p. 5485.*

Name of Member not removed, although resignation had been tendered to governor of State. (13) *2-48, Report H. of R. No. 2679.*

It has been held that there is no roll of Delegates which the Speaker is obliged to recognize at the time of swearing in Members-elect at the organization of the House. *147, Record, pp. 14, 23, 38.*

Soldiers' roll. (1721) *23 Stat. L., pp. 164, 393; 2-42, Journal, p. 952.*

ROLL CALL.

(*a*) *On amendment to Constitution.*
(*b*) *How conducted.*
(*c*) *Interruption of.*
(*d*) *For call of the House.*

(*a*) ***On amendment to Constitution.***

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. *1-57, Record, pp. 1721, 1722.*

ROLL CALL—Continued.

(*b*) ***How conducted.***

Upon a roll call the names of the Members are called alphabetically by surname, and after the roll has been once called the names of those not voting are called, after which the Speaker may not entertain a request to record a vote or announce a pair, except in cases where a Member's presence has been noted as part of a quorum. (1122) *Rule XV, section 1.*

A Member who is listening when his name should be called and fails to hear it is permitted to vote at the end of the roll call, but under other circumstances the Speaker may not entertain a request of a Member to be recorded, even though such a Member may have been absent on service of the House. (1185–1187) *2–50, Record, p. 2106; 1–54, Record, pp. 3140, 6220.*

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. *2–56, Record, p. 2915.*

It is not permissible to entertain the request of a Member to record his vote after he has failed to respond because his attention was distracted when his name was called. *1–57, Record, p. 2605.*

When a Member's vote is incorrectly recorded, it is his right on the next day, while the Journal is before the House for approval, to have the proper correction made. (1179) *2–30, Journal, p. 211, Globe, p. 172.*

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. *1–57, Record, pp. 558–564, 3848.*

A Member who has answered "present" on a roll call may change his record to "aye" or "no;" but the rule does not permit the Speaker to entertain the request of a Member who has not answered at all to record his vote. (1178) *1–55, Record, pp. 1068, 1069.*

The Speaker may not entertain the request of a Member to answer "present" at the conclusion of the roll call provided for by section 1 of Rule XV. *1–56, Record, p. 5620.*

(*c*) ***Interruption of.***

A roll call may not be interrupted because of the arrival of the time fixed by the rules for another order of business. (1173) *1–52, Journal, pp. 61, 62, Record, p. 976.*

A roll call is not interrupted by the arrival of an hour fixed for a recess by rule or prior vote of the House. (1171, 1172) *1–31, Journal, p. 934, Record, p. 8352; 2–55, Record, p. 847.*

ROLL CALL—Continued.

(*c*) ***Interruption of***—Continued.

A roll call may not be interrupted by a motion to adjourn or that further proceedings under a call be dispensed with. (1170) *1-47, Journal, pp. 597, 641, Record, pp. 1238, 1245, 1366.*

A roll call may not be interrupted for debate, even for the presentation of a case of personal privilege. (1167, 1168) *1-31, Globe, p. 1686; 1-51, Journal, pp. 936, 937, Record, pp. 8345, 8352, 8373.*

The roll call may not be interrupted either for a parliamentary inquiry or a question of personal privilege. *1-57, Record, p. 3810.*

A conference report, though highly privileged, is not in order during a roll call or while the House is dividing. (1391) *Rule XXIX.*

Sometimes the Speaker interrupts a roll call when the hour for adjournment *sine die* arrives. (1523–1526) *1-28, Journal, p. 1175, Globe, p. 696; 2-28, Globe, p. 396; 2-35, Journal, p. 625, Globe, p. 1684; 2-44, Journal, p. 698, Record, p. 2251.*

(*d*) ***For call of the House.***

The rule whereby a quorum is obtained and the vote taken on the pending proposition by one roll call. (287) *Rule XV, section 4.*

On a call of the House under section 2 of Rule XV a second call of the roll is not required. (332, 333) *1-51, Journal, pp. 527, 935, Record, pp. 3903, 8371.*

ROOMS.

The Speaker has control of the Hall, the corridors, and unappropriated rooms. (44) *Rule I, section 3.*

The Doorkeeper is charged with the custody of furniture, books, and other public property in the committee and other rooms, and must account to the House and the Committee on Accounts. (1719) *Rule V, section 2.*

RULES.

(*a*) *General provisions relating to.*

(*b*) *Committee on.*

(*c*) *Suspension of.* See "Suspension of the rules."

(*a*) ***General provisions relating to.***

The House determines the rules of its proceedings. *Constitution, Article I, section 5, p. 6.*

In the absence of rules the House is governed by the general parliamentary law of the land. (1142, 1535–1537) *1-50, Record, pp. 39, 41, 109; 1-51, Record, pp. 192, 193, 741, 749, Journal, p. 144.*

The House is governed by the rules of Jefferson's Manual in all cases to which they are applicable and in which they are not inconsistent with the standing rules and orders of the House. (1533) *Rule XLIV.*

RULES—Continued.

(*a*) ***General provisions relating to***—Continued.

Before the adoption of rules a resolution relating to the order of business was held to be in order for immediate consideration. (444) *1-51, Journal, p. 19, Record, pp. 166, 167.*

The constitutional right of the House to "determine the rules of its proceeding" may not be impaired or destroyed by the indefinite repetition of dilatory motions. (1543) *1-47, Journal, p. 1362, Record, p. 4278.*

The rules of proceeding in the House are observed in Committee of the Whole so far as they may be applicable. (726) *Rule XXIII, section 8.*

It is, in effect, an amendment of the rules to impose other duties upon an officer of the House than those already prescribed. (1534) *1-31, Journal, p. 456, Globe, p. 277.*

A resolution providing for the appointment of a select committee has been held not to be a change of the rules. (1606) *1-47, Journal, p. 668, Record, pp. 1447, 1448.*

For the election of President by the House. (1768) *2-18, Journal, pp. 213, 215, 220, 222.*

Provisions of the Constitution and rules relating to privilege. (91-94) *Constitution, Article I, section 6, p. 6; Jefferson's Manual, Section III, pp. 130-138, Section XXXIII, p. 184; Rule IX.*

A special order amounts to a change of the rules, and regularly can be adopted only in the manner prescribed for changing the rules, it being a change of the established order of business. (1254-1257) *1-23, Journal, p. 785; 3-27, Journal, p. 355, Globe, p. 276; 1-31, Journal, p. 1096, Globe, p. 1350; 1-31, Journal, p. 1176, Globe, p. 1442.*

A motion which in effect rescinded a rule of the House, having been offered without objection and agreed to by the House, was held to be in force as against the rule. *3-55, Record, pp. 1691, 1712.*

(*b*) ***Committee on.***

The Committee on Rules has leave to report at any time, and pending consideration of the report one motion to adjourn may be entertained, but thereafter no dilatory motion. (398) *Rule XI, section 61.*

An illustration of the functions of the Committee on Rules in affording the House a method of suspending the rules by majority vote. *2-57, Journal, p. 232; Record, p. 2051.*

Pending a report from the Committee on Rules one motion to adjourn is in order, and thereafter no other dilatory motion, even of the highest privilege, is in order. (1544, 1546) *1-52, Journal, p. 126, Record, p. 2837; 2-53, Journal, pp. 520, 521, Record, p. 3009.*

RULES—Continued.

(*b*) ***Committee on***—Continued.

In the Fifty-second and Fifty-third Congresses the former practice of entertaining the question of consideration against a report of the Committee on Rules was reversed. (829–831) *1–52, Journal, p. 91; 2–53, Journal, pp. 71, 72, Record, p. 528; 2–51, Journal, p. 273.*

Pending consideration of a report from the Committee on Rules the question of consideration and appeals have been ruled out of order as dilatory. (1547) *1–53, Journal, pp. 96, 97, 98.*

It has been held once that a report from the Committee on Rules was in order before the reading and approval of the Journal. (223) *1–52, Journal, p. 91, Record, p. 1825.* See, however, (221–225) *1–34, Journal, p. 1253, Globe, p. 1710; 2–50, Record, pp. 676, 677; 1–52, Journal, p. 91, Record, p. 1825; 2–52, Journal, p. 98, Record, p. 1863; 2–53, Journal, pp. 308, 309.*

A report from the Committee on Rules, though highly privileged, is not in order after the House has voted to go into Committee of the Whole. *2–56, Journal, p. 293, Record, p. 3236.*

A conference report has precedence of a report from the Committee on Rules on which the yeas and nays and the previous question have been ordered. *2–56, Record, p. 3594.*

A special order fixing a day for particular business is a change of rules, and may be reported at any time as a privileged question by the Committee on Rules. (1539) *1–49, Journal, p. 2171, Record, pp. 6759, 6760.*

Pending the motion for, or after the previous question is ordered on a report from the Committee on Rules, the motion to recommit is not admitted under the more recent practice of the House, although the rulings conflict. (1552–1555) *2–53, Journal, pp. 71, 72, 279, 280, Record, pp. 534, 3284; 1–56, Record, pp. 4032, 6303, Journal, pp. 457, 647; 1–57, Record, pp. 1834, 1835; 2–58, Journal, p. 233, Record, pp. 1523–1525.*

The question as to whether or not a question of privilege should have precedence of a report from the Committee on Rules. (1549–1551) *2–53, Journal, pp. 71, 72, 132, Record, pp. 485, 527, 1809; 1–55, Record, p. 2478.*

It has been once held that the Committee on Rules has jurisdiction to report a matter not referred to them. (1548) *2–53, Journal, p. 61, Record, p. 502.* See, however, (661–665) *1–31, Journal, p. 590; 1–45, Journal, p. 159, Record, p. 256; 1–48, Journal, p. 1108; 1–51, Journal, p. 967, Record, p. 8772; 1–53, Journal, pp. 96, 97, 98.*

The Committee on Rules has jurisdiction to report a resolution for the consideration of a measure, even though the effect be to discharge a

RULES—Continued.

(*b*) ***Committee on***—Continued.

committee from a matter pending before it. (1542) *3-53, Journal, p. 104.*

A resolution directing a committee to make an investigation goes to the Committee on Rules. *3-55, Record, pp. 310, 353.*

A proposition to increase the duties of a committee is a change of the rules and should be referred to the Committee on Rules. (659) *1-51, Journal, p. 1116, Record, pp. 10777, 10778.*

It has been established, after various changes of rule and practice, that a proposition to change the rules must be referred to the Committee on Rules. (1540, 1541) *1-31, Globe, p. 1226; 1-46, Journal, p. 437.*

The practice of the Committee on Rules reporting in part at different times was sanctioned by the decision that a committee having leave to report at all times may report in part at different times. (1538) *1-27, Journal, p. 204.*

A special order reported by the Committee on Rules is agreed to by majority vote. *1-57, Record, p. 4820.*

RULES, COMMITTEE ON.

See "Rules."

SALARIES.

Of Members, conditions of payment, and continuance. (11) *Constitution, Article I, section 6, p. 5; Revised Statutes, sections 38, 39, 40, 41, 46, 47-51; 18 Stat. L., p. 4; 20 Stat. L., p. 400; 18 Stat. L., p. 389; 26 Stat. L., p. 645; 22 Stat. L., p. 108; 19 Stat. L., p. 145.*

The certificate of the Speaker is conclusive as to salary and mileage. (1755) *Decisions Comptroller, Vol. II, p. 339.*

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. *33 Stat. L., p. 1.*

A deduction from the salaries of Members under section 40 of the Revised Statutes does not involve a question of privilege. (189) *2-53, Journal, pp. 358, 359.*

The mere appropriation for a salary does not thereby create an office, so as to justify appropriations in succeeding years. *1-59, Record, pp. 4054, 4055.*

The appropriation of a less sum than the amount fixed by law for the salary of an officer is not a change of law, even though it be accompanied by such a condition as practically affects a reduction of the salary. (546) *1-54, Record, pp. 2009-2019; 2-58, Record, p. 770.*

It is not a change of existing law for the House to decline to make appropriation for salaries fixed by law. (547) *2-55, Record, p. 1443.*

SALARIES—Continued.

Propositions to increase salaries fixed by law are subject to the point of order. (549–553) *2–54, Record, pp. 1441–1443; 1–51, Record, pp. 3444, 3893, 3902.*

Paragraphs in the general deficiency appropriation bill providing for the payment of certain sums to certain employees of the House for services were held to be subject to the point of order, as such expenditure had not been previously authorized by the House. (548) *2–54, Record, pp. 2058, 2061.*

The clerk to the Committee on the Post-Office and Post-Roads being appointed a postmaster, was decided to be entitled to his salary as clerk until his successor was appointed, although his salary as postmaster had already begun. (722) *Decisions First Comptroller (Bowler) 1893–94, p. 61.*

In case of a month's extra pay, an employee having an annual salary is entitled to one-twelfth of the sum of that salary. (1706) *Decisions Comptroller of Treasury (Bowler), Vol. I, p. 297.*

No more than one person may be appointed to one position under the authority of the House, and an employee may not divide his salary with another. *31 Stat. L., p. 968.*

SEAL OF THE HOUSE.

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpœnas. (1712) *Rule III, section 3.*

The seal of the House is in control of the House rather than of the Speaker. *2–56, Record, p. 1134.*

SEATS OF MEMBERS.

Rule regulating the drawing of seats and its development. (6) *Rule XXXII, sections 1, 2.*

Precedents as to drawing of seats where a large portion of the majority party is to be accommodated on the minority side of the main aisle. *1–59, Record, pp. 43–44.*

SECOND.

Motions to suspend the rules must be seconded by a majority by tellers. (1557) *Rule XXVIII, section 2.*

The yeas and nays may not be demanded on the seconding of a motion to suspend the rules if a quorum be present on the vote by tellers. (1561) *2–55, Record, p. 6172; 1–59, Record, p. 7186.*

When the House is acting under the call of the House provided for by section 4 of Rule XV, the motion to adjourn is seconded by a majority. (287) *Rule XV, section 4.*

SECOND—Continued.

On a motion to suspend the rules the Member demanding a second divides with the mover the forty minutes of debate. *2-56, Record, pp. 3444, 3445.*

On a motion to suspend the rules, a member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. *3-58, Record, p. 1941.*

On a motion to suspend the rules, a member of the committee which reported the bill, and who is opposed, is entitled to demand a second. *1-59, Record, p. 6464.*

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. *2-56, Record, p. 3444; 1-57, Record, p. 6886, Journal, p. 815.*

SECRET SESSIONS.

The rule providing for secret sessions of the House. (1770, 1771) *Rule XXX; 2-37, Globe, p. 554.*

A citizen who declined to testify concerning a betrayal of the secrets of the House was committed to the custody of the Sergeant-at-Arms. (159) *1-12, Journal, pp. 276, 277, 280, Annals, p. 1266.*

Communications in regard to Senator Blount made in. (1696) *1-5, Journal, p. 76. (Gales and Seaton, Ed.).*

Instance of. (157) *1-5, Journal, pp. 154, 185, Annals, pp. 961, 964, 972, 979, 1034.*

SECRETARY OF THE SENATE.

Entitled to the privilege of the floor of the House during its sessions. (1740) *Rule XXXIV.*

SECRETS.

The elective officers of the House are sworn to keep the secrets of the House. (1704) *Rule II.*

SECTIONS.

Each section of a bill shall be numbered and shall contain as nearly as may be a single proposition of enactment. (455) *Revised Statutes, section 10.*

The amendment of the numbering of the sections of a bill is done by the Clerk. (1046) *Jefferson's Manual, Section XXXV, p. 190; 1-57, Record, p. 6777.*

Appropriation and revenue bills are considered in Committee of the Whole by paragraphs, other bills by sections. *1-59, Record, pp. 4362-4365.*

The Committee of the Whole may, after the five-minute debate has begun, close debate on the sections, paragraphs, or pending amendments; but this does not preclude further amendment. (914) *Rule XXIII, section 6.*

SECTIONS—Continued.

The right to limit debate on the pending section of a bill which is being considered in Committee of the Whole under the five-minute rule may be exercised by the House as well as by the Committee of the Whole. (920) *1-53, Journal, p. 154.*

It has been held in order in the House to close debate on a section of a bill in Committee of the Whole, although only a portion of the section had been read for amendments. (919) *2-48, Record, pp. 1604-1612.*

While the decisions have not been uniform, those most recently made have held that an amendment must be germane to the particular paragraph or section under consideration rather than to the general provisions of the bill. (1061-1066) *2-45, Journal, p. 1230, Record, pp. 4161, 4162; 1-55, Record, pp. 353, 474, 529, 3483; 2-55, Record, p. 4449.*

After a vote to insert a new section in a bill it is too late to perfect the section by amendment. *1-57, Record, p. 5833.*

SEEDS.

The distribution of seeds by Members. (1787) *28 Stat. L., pp. 269, 270; 29 Stat. L., p. 106.*

The Committee of the Whole, overruling its chairman, decided that a provision for the purchase and distribution of rare and valuable seeds was in order on the Agricultural appropriation bill. *2-59, Record, pp. 1898, 1899.*

SELECT COMMITTEES.

Select and conference committees are appointed by the Speaker under the rule. (605) *Rule X, section 2.*

A resolution providing for the appointment of a select committee is not in violation of the rule relating to the standing committees. (603, 1606) *1-47, Journal, p. 668, Record, pp. 1447, 1448.*

Instance wherein a select committee was authorized by the adoption by the House of a motion to refer. *2-58, Record, pp. 3151-3153.*

A resolution to commit which creates a select committee may, at the same time, as part of the instructions to the committee, give to it the power to send for persons and papers. (1020) *2-44, Journal, p. 297, Record, p. 926.*

A select committee that has reported, and consequently become dissolved, may be revived by a vote referring a matter to it or by a recommittal; but in case of recommittal with instructions the committee must, in reporting, confine themselves to the instructions. (693-695) *2-37, Journal, p. 874, Globe, pp. 2764, 2790; 3-37, Journal, pp. 487, 489, Globe, p. 1295.*

SENATE.

The parliamentary law relating to messages between the Houses. (1463) *Jefferson's Manual, Section XLVII, pp. 209–211.*

One House sometimes asks of the other the return of a message. *1–57, Record, p. 7337.*

Visits and relations between the Houses. (1775, 1776) *2–51, Journal, p. 59, Record, p. 530; 1–40, Globe, p. 253.*

Is notified of the organization of the House. (2) *2–54, Record, p. 12.*

A Speaker *pro tempore* being elected, the Senate was notified of the election. (54) *1–5, Journal, pp. 266, 316, Annals, pp. 1475, 1835.*

An assault by a Member of the House upon a Senator at his seat in the Senate was determined to be a breach of the privileges of the House as well as of the Senate. (167) *1–34, Journal, pp. 1023, 1029, 1076, 1077, 1185–1187, 1193–1194, 1197–1201, 1205–1221, Globe, pp. 1290, 1348–1352, 1578.*

The Senate having requested the return of a bill which had been enrolled, signed by the Speaker, and transmitted to the Senate, a resolution was passed directing that the Senate be informed thereof. *1–56, Record, p. 5827.*

Requests of the Senate for the return of a bill are treated as privileged in the House. (483, 484) *1–54, Record, pp. 5126, 6110.*

It is a breach of order to refer in debate to proceedings in the other House; and it is particularly the duty of the Speaker to prevent such expressions. (907) *Jefferson's Manual, Section XVII, p. 157; 3–55, Record Appendix, pp. 38, 39; 1–57, Record, p. 7339.*

References in the nature of criticisms of the other body or comments on its proceedings have been repressed with strictness. *2–56, Record, pp. 3383, 3576.*

Interpretation of the rule prohibiting reference in debate to what has been said on the subject in the other House. *1–57, Record, p. 5957.*

A Member whose motives have been impugned in the Senate may refer to proceedings in that body sufficiently to explain his own motives, but may not under the rights of privilege bring into discussion the whole merits of the controversy. (102) *1–52, Journal, p. 354.*

The quotation of personal views of a Senator, not uttered in the Senate, was held to be in order in the House. *1–56, Record, pp. 3977, 3978.*

Question as to its right to originate revenue bills. (133–135) *2–27, Journal, p. 287, Globe, pp. 195, 196; 2–45, Journal, p. 1303, Record, pp. 4605–4614; 2–48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962.*

SENATE AMENDMENTS.

See "Amendments between the Houses."

SENATE BILLS.

Rule and practice as to disposing of them from the Speaker's table. (347, 357–365) *Rule XXIV, section 2; 2–55, Record, pp. 4805, 6552; 1–51, Journal, pp. 541, 726, 849, 850, 951, Record, pp. 3977, 5907, 7161, 8527; 2–54, Record, p. 847; 2–51, Journal, p. 241, Record, p. 2623; 2–52, Journal, p. 52, Record, p. 717.*

The House may not consider a Senate bill unless in possession of the engrossed copy, but may at once direct that the clerk request a duplicate engrossed copy of the bill. *2–59, Record, pp. 4257–4260.*

SENATORS.

A Senator apparently being inculpated by testimony taken before a House committee, the House informed the Senate. (1776) *1–40, Globe, p. 253.*

The impeachment of William Blount, a Senator of the United States. (1696) *1–5, Journal, p. 76 (Gales & Seaton).*

It is not in order in debate to refer to a Senator in terms of criticism personally. (1639) *1–52, Journal, p. 87, Record, p. 1703; 1–59, Record, p. 1502.*

The quotation of personal views of a Senator, not uttered in the Senate, was held to be in order in the House. *1–56, Record, pp. 3977, 3978.*

An assault by a Member of the House upon a Senator at his seat in Senate was determined to be a breach of the privileges of the House as well as of the Senate. (167) *1–34, Journal, pp. 1023, 1029, 1076, 1352, 1578.*

SERGEANT-AT-ARMS.

The Sergeant-at-Arms maintains order, executes the commands and processes of the House, and disburses the pay and mileage of Members. (1715) *Rule IV, section 1.*

This officer is elected by *viva voce* vote, and is sworn to support the Constitution, to the faithful discharge of his duties, and to keep the secrets of the House; and appoints the employees of his department. (1704) *Rule II.*

Employees under Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall be assigned only to duties for which they were appointed, except in certain cases of emergency, for which no extra pay may be claimed. *31 Stat. L., p. 968.*

The Clerk, Sergeant-at-Arms, Doorkeeper, and Postmaster shall certify to their monthly pay rolls, stating whether or not the employees thereon have been present and performed their duties, etc., and neglect of this requirement is cause for removal. *31 Stat. L., p. 968.*

The captain and lieutenants of the Capitol police are selected jointly by the Sergeants-at-Arms of the two Houses, and privates and watchmen are selected one-half by each of the two officials. The Clerk of the House disburses pay of one-half. *31 Stat. L., p. 963.*

SERGEANT-AT-ARMS—Continued.

Duties of the Sergeant-at-Arms in connection with the care of the Capitol and control of the Capitol police. (1717) *Revised Statutes, sections 1820–1825.*

The pay and mileage of Members are disbursed by the Sergeant-at-Arms. (1717) *Rule IV, section 1; 26 Stat. L., pp. 645, 646.*

In the absence or disability of the Clerk the Sergeant-at-Arms may officiate at the organization of the House. (1717) *Revised Statutes, section 32.*

The statutes prescribe fully the duties of the Sergeant-at-Arms. (1717) *26 Stat. L., pp. 645, 646; Revised Statutes, sections 32, 56, 72, 1820, 1821, 1823–1825; 18 Stat. L., pp. 87, 345.*

Erects monuments to deceased Members in the Congressional Cemetery. (1759) *18 Stat. L., p. 54.*

The mace is the symbol of the Sergeant-at-Arms, and is borne by him while enforcing order. (1716) *Rule IV, section 2.*

In attending the Speaker and the House to the Senate the Sergeant-at-Arms does not carry the mace. (1775) *2–55, Record, p. 4212.*

SERGEANT-AT-ARMS OF THE SENATE.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

SERVICE OF THE HOUSE.

The publication and distribution of the Congressional Record. (1679) *28 Stat. L., pp. 617, 618; 29 Stat. L., p. 454; 18 Stat. L., p. 347.*

The appointment, removal, and supervision of the official reporters are vested in the Speaker. (1678) *Rule XXXVI, section 1.*

To a resolution providing in general terms for the employment of additional employees in the service of the House, an amendment providing for the employment of a particular individual was offered and held not to be in order. (1076, 1077) *1–51, Journal, p. 293; 1–54, Record, p. 513.*

Clerks of committees are appointed by the chairmen, with the approval of the committee, and are paid at the public expense. (717) *Rule X, section 4.*

The committees having permanent or annual clerkships. (718, footnote) *30 Stat. L., pp. 850, 851.*

Decisions of the Comptroller as to pay of clerks to committees. (720–723) *Decisions Comptroller of Treasury (Bowler), Vol. II, pp. 359, 638; Decisions First Comptroller (Bowler), 1893–94, pp. 2, 61.*

The pay of clerks to committees, and its computation. (719, footnote) *22 Stat. L., p. 378; 18 Stat. L., p. 345.*

SERVICE OF THE HOUSE—Continued.

Method of authorizing annual clerks to committees. (718) *1-50, Record, pp. 7884, 7885.*

The method of assigning session clerks to committees not having annual clerks. (719) *2-55, Record, p. 79.*

Decisions of Comptroller as to clerks of Members. (23-28.)

The superintendent of the Capitol supervises the repairs and plans and specifications of all furniture of the House. *32 Stat. L., p. 25.*

SESSIONS.

(*a*) *During the legislative day.*

(*b*) *Before the adjournment sine die.*

(*a*) ***During the legislative day.***

Duties of the Speaker regarding the opening of the session and the reading of the Journal. (41) *Rule I, section 1.*

The House fixes the hour of daily meeting at the beginning of each session. *2-57, Journal, p. 6, Record, p. 4.*

No committee except the Committee on Rules may sit without leave during the sitting of the House. (657) *Rule XI, section 61.*

The Chaplain opens each day's sitting with prayer. (1722) *Rule VII.*

It is the parliamentary rule, although not always adhered to, that messages between the Houses are to be sent only while both Houses are sitting. (1463-1465) *Jefferson's Manual, Section XLVII, p. 209; 1-52, Journal, p. 230, Record, p. 5371; 2-55, Record, p. 4002.*

There must be an adjournment before the legislative day will terminate, and an adjournment does not take place by reason of the arrival of the time for the regular daily meeting of the House. (1505) *1-33, Journal, pp. 804, 811, Globe, p. 1177.*

An adjournment does not necessarily take place at 12 p. m. Saturday, it being for the House to decide whether or not it will continue in session on Sunday. (1503, 1504) *1-24, Journal, pp. 577-582, Globe, p. 265; 2-44, Record, p. 2242.*

The Committee of the Whole being in session when the hour arrives for the next regular meeting of the House, it rests with the committee to determine whether or not it will rise. (1506, 1507) *1-24, Globe, p. 434; 1-26, Globe, p. 285.*

A session of the House extending, by failure to adjourn, through the next calendar day, a special order for the latter day falls, as the session is of the legislative and not the calendar day. (1271) *1-50, Journal, pp. 1491, 1505, 1506, Record, pp. 2749, 2755.*

The rule providing for secret sessions of the House. (1770, 1771) *Rule XXX; 2-37, Globe, p. 554.*

SESSIONS—Continued.

(*b*) ***Before the adjournment sine die.***

The House has, under the terms of a special rule, met only on Mondays and Thursdays of each week. (1515) *1-55, Record, p. 933.*

The legislative day of March 3 of the final session of a Congress is held to terminate at 12 m. on March 4, unless a motion is made and carried for an adjournment previous to that hour. (1521, 1522) *2-31, Globe, pp. 784, 918-920; 3-46, Record, p. 2456.*

In the later view an existing session ends with the day appointed by the Constitution for the regular annual session. *2-53, Record, pp. 1397-1402, 1407, 1415.*

The two Houses may by concurrent resolution provide for an adjournment to a certain day, with a provision that if there be no quorum present on that day the session shall terminate. (1518) *1-40, Journal, pp. 157, 158, 184, Globe, pp. 454, 589.*

When the two Houses adjourn for more than three days, and not to or beyond the period fixed by the Constitution or law for the next regular session, the session is not thereby terminated, but continues until an adjournment without day or until the next regular session. (1516, 1517) *1-39, Journal, pp. 107, 108, Globe, p. 127; 2-39, Journal, p. 106, Globe, p. 237.*

When the hour for final adjournment arrives, the Speaker, either on motion or without, declares the House adjourned *sine die.* (1527-1530) *2-32, Journal, p. 431; 3-34, Journal, p. 691, Globe, p. 1000; 1-33, Journal, p. 1345; 1-35, Journal, p. 1148, Globe, p. 3050.*

The provision of law relating to the mileage of Members applies only to the regular sessions of Congress. (1756) *Decisions First Comptroller, 1893, 1894 (Bowler), p. 48.*

An ordinary appropriation for session employees is not available at an extra session. (1708) *Decisions of the First Comptroller, 1893, 1894, (Bowler), p. 45.*

The rule relating to business before committees unfinished at the end of the session. (367) *Rule XXVII.*

SIGNING OF BILLS.

The enrolling, signing, and presentation of bills to the President. (478) *Jefferson's Manual, Section XLVIII, p. 212.*

A bill not returned by the President within ten days of its presentation to him (Sundays excepted) becomes a law unless Congress by their adjournment prevent its return. (1466) *Constitution, Article I, section 7, p. 7.*

SIGNING OF BILLS—Continued.

Instance wherein a bill enrolled and signed by the Presiding Officers of the two Houses at one session was sent to the President and approved at the next session. *3-58, Record, pp. 66, 125. Bills H. R. Nos. 10516 and 11444.*

There being doubt about the signing of enrolled bills by a Speaker *pro tempore* designated by the Speaker, the House proceeded to elect, and informed the President and Senate of its action. (60) *2-55, Record, p. 6757.*

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. *1-57, Record, p. 7195.* Later this request was granted. *2-57, Journal, p. 284, Record, p. 2648.*

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. *2-58, Journal, p. 361, Record, p. 2581.*

SITTINGS.

The Chaplain opens each day's sitting with prayer. (1722) *Rule VII.*

SMITHSONIAN INSTITUTION.

Regents to be appointed by the Speaker. (48) *Revised Statutes, section 5581.*

SMOKING.

Not allowed in Hall of the House. (10) *Rule XIV, section 7.*

SOLDIERS' HOME.

National Home for Disabled Volunteer Soldiers. (1784) *Revised Statutes, sections 4826-4837.*

An amendment appointing managers of the National Home for Disabled Volunteer Soldiers was held to be in order on the sundry civil appropriation bill. (1059) *1-51, Record, p. 6144.*

SOLDIERS' ROLL.

Messengers on the soldiers' roll are under control of the Doorkeeper. (1721) *23 Stat. L., pp. 164, 393; 2-42, Journal, p. 952.*

SPEAKER.

(*a*) *Election, compensation, etc.*
(*b*) *Certain appointments by.*
(*c*) *Control of the Hall, galleries, etc.*
(*d*) *General duties.*

SPEAKER—Continued.

(*e*) *Duties as to bills.*
(*f*) *The Journal.*
(*g*) *Motions and votes.*
(*h*) *Preserves order.*
(*i*) *Decision on points of order.*
(*j*) *His relation to questions of privilege.*
(*k*) *May not entertain certain motions and requests.*
(*l*) *Matters not for the decision of the Speaker.*
(*m*) *Messages received by.*
(*n*) *Designations of Speakers pro tempore.*
(*o*) *When he may speak.*
(*p*) *His vote.*
(*q*) *His relations to Committee of the Whole.*
(*r*) *Adjournment and recess.*
(*s*) *Charges against.*
(*t*) *Administers oath.* See "Oath."
(*u*) *As to debate.* See "Debate."
(*v*) *Appoints committees.* See "Committees."
(*w*) *Power of recognition.* See "Debate."
(*x*) *Counts to ascertain presence of quorum.* See "Quorum."
(*y*) *In dilatory proceedings.* See "Dilatory motions."

(*a*) ***Election, compensation, etc.***

The Constitution provides that the House shall choose their Speaker and other officers. (40) *Constitution, Article I, section 2, p. 4.*

The Speaker is elected by a *viva voce* vote. (56) *1-35, Journal, p. 8.*

A resolution to proceed to the election of a Speaker presents a question of privilege, and pending the decision another question of privilege may not be presented. (58) *2-44, Journal, p. 8, Record, p. 5.*

After a long contest over the election of a Speaker the difficulty was finally solved by the adoption of a plurality rule, the election being subsequently confirmed by a majority vote. (4, 5) *1-31, Journal, pp. 156, 163, 164; 1-34, Journal, pp. 429, 430, 444.*

Compensation of. (11) *14 Stat. L., p. 323, 18 Stat. L., p. 4, 34 Stat. L., p. 993.*

The certificate of the Speaker is conclusive as to salary and mileage. (1755) *Decisions Comptroller, Vol. II, p. 339.*

The power of the Speaker and its relation to the House. (606) *1-55, Record, p. 651.*

The seal of the House is in control of the House rather than of the Speaker. *2-56, Record, p. 1134.*

The resolution of thanks to the Speaker. (1531) *2-54, Record, pp. 2981, 2986; 2-56, Record, p. 3604; 2-58, Record, pp. 5849, 5850.*

SPEAKER—Continued.

(*b*) ***Certain appointments by.***

The statutes prescribe certain appointments to be made by the Speaker from the membership of the House: (48)

A temporary committee on accounts, to serve from the end of one Congress to the organization of the next. *28 Stat. L., p. 768.*

Three visitors to the Military Academy. (Annually.) *Revised Statutes, section 1327.*

Three visitors to the Naval Academy. (Annually.) *Supplement Revised Statutes, Vol. I, p. 217.*

A consulting trustee of the Reform School of the District of Columbia. (In odd-numbered years.) *Supplement Revised Statutes, Vol. I, p. 104.*

Two directors of the Columbia Hospital for Women. (In even-numbered years.) *17 Stat. L., p. 360.*

Two directors of the Columbian Institution for the Instruction of the Deaf and Dumb. (In even-numbered years.) *Revised Statutes, section 4863.*

Three Regents of the Smithsonian Institution. (In even-numbered years.) *Revised Statutes, section 5581.*

Two members of Memorial Association of the District of Columbia. Not from membership of the House. (Annually.) *27 Stat. L., p. 396.*

(*c*) ***Control of the Hall, galleries, etc.***

The Speaker has control of the Hall, the corridors, and unappropriated rooms. (44) *Rule I, section 3.*

The Speaker assigns gallery accommodations to the President, members of the Cabinet, justices of the Supreme Court, foreign ministers, and persons admitted on the card of Members. (1741) *Rule XXXV.*

To the Members' gallery the Speaker issues one card to each Member for his family and visitors; and in this gallery the Speaker controls one bench. (1741) *Rule XXXV.*

An ex-Member who was abusing the privileges of the floor was excluded by direction of the Speaker. *1-56, Record, p. 2792, Journal, p. 338.*

Rigid enforcement of the rule forbidding requests for extension of the privileges of the floor. *2-56, Record, p. 395.*

The Speaker may admit to the press gallery and also allow to representatives of the news associations the privileges of the floor. (1742) *Rule XXXVI, section 2.*

Employees in the heating, lighting, and ventilating departments of the House are under charge of the Architect, subject to control of the Speaker. (1765) *21 Stat. L., p. 388.*

SPEAKER—Continued.

(*c*) ***Control of the Hall, galleries, etc.***—Continued.

Protection of the laws of the District for Capitol square may be invoked by the Speaker. (1765) *Revised Statutes, section 1819.*

Power of Speaker as to use of Capitol grounds for processions, ceremonies, etc. *22 Stat. L., pp. 126, 127.*

(*d*) ***General duties.***

Certificates of salary and mileage of Members may be signed for the Speaker by a designated employee. *33 Stat. L., p. 1.*

The Speaker sometimes, by unanimous consent, lays before the House invitations to it to participate in public ceremonies. *1-58, Journal, p. 89, Record, p. 469.*

It is the duty of the Speaker to take notice of a mandatory provision of law. (88) *2-44, Journal, p. 604, Record, p. 2054.*

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. *1-59, Record, pp. 7625, 7626.*

Under direction of a special order the Speaker declares the House resolved into Committee of the Whole. (1281) *2-54, Record, p. 934.*

The rule governing the transmittal and reference of estimates and other Executive communications. (348) *Rule XLII.*

Discretion of the Speaker in referring to committee bills on the Speaker's table. *2-56, Journal, pp. 303-305, Record, pp. 3331-3337; 2-57, Record, p. 2756.*

(*e*) ***Duties as to bills.***

The Speaker signs all acts, addresses, joint resolutions, writs, warrants, and subpœnas, and decides questions of order, subject to appeal. (45) *Rule I, section 4.*

A request of the Senate that the House vacate the signature of the Speaker to an enrolled bill was denied by the House, unanimous consent being refused. *1-57, Record, p. 7195.* Later the request was granted. *2-57, Journal, p. 284, Record, p. 2648.*

By unanimous consent the Speaker, on request of the Senate, was authorized to cancel his signature to an enrolled pension bill, the beneficiary of which was dead. *2-58, Journal, p. 361, Record, p. 2581.*

The Speaker may withhold such private bills, petitions, and memorials as, in his judgment, are of an obscene or insulting character. (448) *Rule XXII, section 1.*

The Speaker refers public bills, memorials, and resolutions, and correction of reference is made by the House. (450) *Rule XXII, section 3.*

The Speaker makes it his duty, ordinarily, to object to a request for unanimous consent that a bill may be acted on without being read. *3-58, Record, pp. 2406, 2486, 2487.*

SPEAKER—Continued.

(*e*) ***Duties as to bills***—Continued.

Enrolled bills are sometimes presented to the House and signed by the Speaker during an informal rising of the Committee of the Whole. (760) *2-35, Globe, p. 1417.*

(*f*) ***The Journal.***

Duties of the Speaker regarding the opening of the session and the reading of the Journal. (41) *Rule I, section 1.*

The examination and approval of the Journal by the Speaker, according to Rule I, section 1, is a preliminary examination, and the Journal must still be approved by the House. (218) *1-50, Journal, p. 2945, Record, p. 9607.*

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. *1-59, Record, p. 5258.*

(*g*) ***Motions and votes.***

The Speaker must put the question if it be in order. (47) *Jefferson's Manual, Section III, p. 136.*

Rule for putting the question and for voting by division and tellers. (46) *Rule I, section 5.*

All motions shall be stated by the Speaker or read by the Clerk, and shall then be in possession of the House, but may be withdrawn before a decision or amendment. (923) *Rule XVI, section 2.*

In deciding as to dividing a question, the Chair considers only the existence of substantive propositions, and not the merits of the questions presented. *2-59, Record, p. 4509.*

Resolutions accompanying a report must be stated by the Speaker or read by the Clerk before being debated. (841) *2-48, Journal, p. 745, Record, pp. 2412, 2413.*

On committee suspension days the Speaker sometimes calls the committees in regular order for motions to suspend the rules, but this method is not required by the rules. (1562, 1563) *3-46, Journal, p. 104, Record, pp. 273, 274; 1-51, Record, p. 1405.*

When a vote taken by yeas and nays shows that no quorum has voted, it is the duty of the Chair to take notice of that fact. (254) *1-48, Journal, p. 1385; 2-56, Record, pp. 2286, 2287.*

After the Chair has declared the result of a vote by tellers, he may not order the vote taken again because of alleged irregularities. (1141) *1-29, Globe, p. 347.*

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. *3-58, Record, p. 3001.*

SPEAKER—Continued.

(*g*) ***Motions and votes***—Continued.

After gentlemen favoring an amendment had declined to act as teller for a pending vote, the Chair appointed the second teller from those opposed. *2-59, Record, p. 4371.*

The recapitulation of a vote is within the discretion of the Speaker, but he usually allows it if the vote is close. (1188, 1189) *2-51, Journal, p. 182, Record, p. 1832; 1-54, Record, pp. 5206, 5207.*

(*h*) ***Preserves order.***

The Speaker may name any Member persisting in disorderly conduct. (1626) *Jefferson's Manual, Section XVII, p. 156; 2-58, Record, p. 3587.*

The Speaker preserves order on the floor and in galleries and lobby. (42) *Rule I, section 2.*

Rigid enforcement of the rule relating to disturbance in the galleries. (43) *2-6, Annals, pp. 851, 887-890.*

The Sergeant-at-Arms, under the direction of the Speaker or Chairman, maintains order in the House and Committee of the Whole. (1715) *Rule IV, section 1.*

(*i*) ***Decision on points of order.***

Debate upon a point of order is within the discretion of the Speaker. (880) *2-51, Journal, p. 174, Record, pp. 1787, 1788; 3-58, Record, p. 1846.*

The Speaker may, on a difficult question of order, decline to rule until he has taken time for examination of the question. *2-58, Record, pp. 5655, 5657.*

It is not the duty of the Speaker to decide any question which is not directly presented in the course of the proceedings of the House. (90) *2-48, Record, p. 2302.*

Decisions on questions of order in the House are always open for reexamination and decision. (407) *2-50, Record, pp. 47, 48.*

If difficulty arise on a point of order during a division, the Speaker decides peremptorily, subject to future censure of the House. (1123) *Jefferson's Manual, Section XLI, p. 201.*

The Speaker having decided that a motion is out of order under the rules of the House, a resolution condemning such decision does not present a question of privilege. (196) *2-51, Journal, p. 187, Record, p. 1872.*

(*j*) ***His relation to questions of privilege.***

The Speaker passes first upon questions presented as questions of privilege before submitting them to the House. (191) *2-33, Journal, p. 451, Globe, p. 930.*

A matter being presented as a question of privilege, the Speaker may decline to entertain it, unless in his judgment it relates to the privileges of the House or its Members, in which case it must be entertained in preference to any other business. (150) *1-29, Journal, p. 724, Globe, p. 734.*

SPEAKER—Continued.

(*j*) ***His relation to questions of privilege***—Continued.

Decisions as to the duty of the Speaker in determining whether or not matters presented as questions of privilege should be entertained and submitted to the House. (133–135) *2–27, Journal, p. 287, Globe, pp. 195, 196; 2–45, Journal, p. 1303, Record, pp. 4605–4614; 2–48, Journal, pp. 316, 317, 332, 333, Record, pp. 948, 962.*

While the Speaker should not entertain every motion which may be offered as a matter of privilege, he should submit to the House whatever relates to the privileges of the House or a Member. (98) *1–31, Journal, p. 1079.*

It has been decided that it was for the House and not the Speaker to decide whether or not a question of privilege was involved. (96, 97, 137) *1–29, Journal, p. 223; 1–30, Journal, pp. 712, 720; 3–27, Journal, p. 46, Globe, pp. 47, 48.*

(*k*) ***May not entertain certain motions and requests.***

Upon a roll call the names of the Members are called alphabetically by surname, and after the roll has been once called the names of those not voting are called, after which the Speaker may not entertain a request to record a vote or announce a pair except in cases where a Member's presence has been noted as part of a quorum. (1122) *Rule XV, section 1.*

A Member who has answered "present" on a roll call may change the record to "aye" or "no;" but the rule does not permit the Speaker to entertain the request of a Member who has not answered at all to record his vote. (1178) *1–55, Record, pp. 1068–1069.*

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. *2–56, Record, p. 2915; 2–58, Record, p. 4574.*

A Member who is listening when his name should be called and fails to hear it, is permitted to vote at the end of the roll call, but under other circumstances the Speaker may not entertain a request of a Member to be recorded, even though such Member may have been absent on service of the House. (1185–1187) *2–50, Record, p. 2106; 1–54, Record, pp. 3140, 6220.*

The Speaker may not entertain a request to suspend the rule relating to admission to the floor of the House. (1740) *Rule XXXIV.*

The Speaker may not entertain a motion to suspend the rule relating to the use of the Hall of the House. (1739) *Rule XXXIII.*

SPEAKER—Continued.

(*l*) ***Matters not for the decision of the Speaker.***

The fact that a proposed amendment is inconsistent with the text, or embodies a proposition already voted on, constitutes a condition to be passed upon by the House and not by the Speaker. (1051) *1-47, Journal, p. 1285, Record, pp. 4121-4123; 1-59, Record pp. 5631, 5635, 5664.*

The fact that the provision of a proposed amendment is contained in a later portion of the bill constitutes no reason why it should be ruled out by the Speaker. *1-57, Record, pp. 5643, 5644.*

It is within the province of the House, but not of the Speaker, to reject an amendment proposed inconsistent with one already agreed to. (1046) *Jefferson's Manual, Section XXXV, pp. 186, 187; 2-56, Record, pp. 319, 320, 2098, 2099; 1-57, Record, p. 3634; 2-58, Record, p. 2447.*

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. *1-57, Record, pp. 2189, 2190.*

The Speaker may not rule a bill out of order for the reason that the subject of it has been acted on in another way in another bill, the question being one for the House to determine. (462) *2-54, Journal, p. 155, Record, p. 1663.*

It is not the duty of the Speaker to construe the Constitution as affecting proposed legislation. (89, 133, 135) *2-45, Journal, p. 921, Record, p. 2713.*

It is for the House, and not the Speaker, to decide whether or not a Senate amendment to a revenue bill violates the privileges of the House. *2-56, Journal, pp. 217, 218, Record, pp. 2258-2262.*

The House and not the Speaker decides whether or not a Member has violated leave given him to print remarks in the Record. (1691-1694) *1-52, Journal, p. 144, Record, pp. 3299-3306; 1-54, Record, pp. 1531, 1532, 5123-5125; 2-55, Record, p. 6799.*

A resolution to correct the Congressional Record is privileged, and such correction is not within control of the Speaker. *1-57, Record, p. 2524.*

Whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule is a question for the House and not the Speaker to determine. (1402, 1403) *2-49, Record, p. 2437; 3-53, Journal, pp. 15, 16.*

Bills considered in the morning hour must be called up by authorization of the committees, but the Speaker can not, in case of dispute, decide as to the validity of such authorization. (705) *2-49, Record, p. 43.*

SPEAKER—Continued.

(*l*) ***Matters not for the decision of the Speaker***—Continued.

The Speaker may, upon statements from the chairman and other members of a committee, rule that the calling up of a bill has been authorized by the committee. *3-55, Record, pp. 221, 222, Journal, p. 34.*

The question of the sufficiency of a report in writing made by a committee is a matter to be passed upon by the House, but not by the Speaker. (704) *1-48, Journal, p. 516.*

The Speaker may not entertain the request of a Member to answer "present" at the conclusion of the roll call provided for by section 1 of Rule XV. *1-56, Record, p. 5620.*

It is for the Member himself to decide whether his interest in a pending matter disqualifies him for voting. *2-56, Record, pp. 3383, 3384.*

(*m*) ***Messages received by.***

Messengers are saluted by the Speaker for the House. (1449) *Jefferson's Manual, Section XLVII, p. 210.*

If a message is announced during a sitting of the Committee of the Whole, the Speaker takes the chair to receive it. (759, 1449) *Jefferson's Manual, Section XII, p. 148.*

Messages of the President, other than the annual messages, are usually referred by the Speaker under the rule, but the House sometimes makes the reference. (349) *Rule XXIV, section 2; 2-57, Record, p. 339.*

(*n*) ***Designations of Speakers pro tempore.***

The Speaker, by unanimous consent, may designate a Speaker *pro tempore* during an absence not caused by illness. (59) *1-55, Record, pp. 826, 840.*

Under certain conditions the Speaker may appoint the Speaker *pro tempore;* under others the House elects. (53) *Rule I, section 7.*

If the Speaker be not present at the opening of a session of Congress, the House may adjourn or elect a Speaker *pro tempore.* (3) *2-21, Debates, pp. 347-350.*

A Speaker *pro tempore* was elected and the Senate was notified of the election. (54) *1-5, Journal, pp. 266, 316, Annals, pp. 1475, 1835.*

There being doubt about the signing of enrolled bills by a Speaker *pro tempore* designated by the Speaker, the House proceeded to elect, and informed the President and Senate of its action. (60) *2-55, Record, p. 6757.*

(*o*) ***When he may speak.***

The Speaker may speak first on matters of order. (839) *Jefferson's Manual, Section XVII, p. 155.*

SPEAKER—Continued.

(*o*) ***When he may speak***—Continued.

The parliamentary law forbids the Speaker to speak except on points of order. (839) *Jefferson's Manual, Section XVII, p. 155.* But Speakers have left the chair to participate in debate without asking the consent of the House. *2-37, Globe, p. 909; 1-38, Journal, p. 505, Globe, p. 1503; 3-40, Journal, p. 322, Globe, p. 1066; 1-42, Globe, p. 124; 3-42, Globe, p. 11; 2-43, Record, p. 899; 2-53, Record, p. 3335; 1-59, Record, pp. 8528, 8529.*

The Speaker has spoken briefly from the chair on a question of privilege relating to himself. *1-57, Record, pp. 2876, 2877.*

A Speaker, being a contestee, was allowed to speak by unanimous consent. (840) *1-28, Journal, p. 1012, Globe, p. 648.*

(*p*) ***His vote.***

The Speaker is not required to vote except when his vote would be decisive, and when the House is voting by ballot. (49) *Rule I, section 6.*

The Speaker was formerly forbidden to vote except in certain cases. (49) *1-1, Journal, p. 9.*

Speaker Macon exercised his constitutional right to vote, although the rule forbade. (50) *1-8, Journal, p. 482* (*Gales & Seaton*).

The Speaker may exercise his right to vote even after the completion of the roll call and the announcement of the result. (52) *1-47, Journal, pp. 1674, 1677, Record, pp. 6233-6237.*

The Speaker has voted when a correction on the day after the roll call has created a condition where his vote became decisive. (51) *2-44, Journal, p. 23, Record, p. 44.*

An instance where the Speaker, in case of a tie vote on an appeal, broke the tie by voting in the affirmative. (1223) *1-28, Journal, p. 618, Globe, p. 414.*

The Chair may be counted on a vote by tellers. *2-56, Record, p. 2434.*

(*q*) ***His relations to Committee of the Whole.***

In forming a Committee of the Whole the Speaker leaves the chair, after appointing a chairman, who has power to cause the galleries or lobby to be cleared in case of disorder therein. (724) *Rule XXIII, section 1.*

The Speaker recognizes only reports from the Committee of the Whole, made by the chairman thereof. *1-59, Record, pp. 7472-7473.*

The Speaker may not revise or overrule in any way a report from the Committee of the Whole. (1652) *2-49, Record, p. 1059.*

The Speaker can not rule in regard to what occurs in Committee of the Whole unless the point of order is reported to the House for decision. (1651-1654) *2-39, Globe, p. 528; 2-49, Record, p. 1059; 2-45, Journal, p. 81, Record, p. 108; 3-53, Journal, p. 125; 1-59, Record, pp. 7472, 7473.*

SPEAKER—Continued.

(*q*) ***His relations to Committee of the Whole***—Continued.

A matter alleged to have arisen in Committee of the Whole, but not reported by the chairman, may not be brought to the attention of the House on the claim that a question of privilege is involved. *1-56, Record, p. 4730.*

The chairman of the Committee of the Whole having ruled a proposed amendment out of order, the committee rose and reported the point of order to the House; whereupon the Speaker held that the question did not come within his jurisdiction. (1650) *2-25, Globe, p. 224 et seq.*

In cases of disorder in Committee of the Whole the Speaker has taken the chair "without an order to bring the House into order." (1628-1631) *2-25, Journal, p. 1013, Globe, p. 422; 1-26, Journal, p. 814, Globe, pp. 343, 394-396, 398; 1-28, Journal, p. 846, Globe, pp. 552-577, 578, 604; 3-46, Journal, p. 114, Record, p. 311.*

Disorder arising in Committee of the Whole, the Speaker may take the chair and restore order without formal rising of the committee. (1627) *Jefferson's Manual, Section XII, p. 148.*

(*r*) ***Adjournment and recess.***

It is no adjournment until the Speaker pronounces it. (1487) *Jefferson's Manual, Section L, p. 215.*

When the hour previously fixed for adjournment arrives, the Speaker declares the House adjourned. (1495) *1-54, Record, p. 2293.*

When the hour for final adjournment arrives, the Speaker, either on motion or without, declares the House adjourned *sine die.* (1527-1530) *2-32, Journal, p. 431; 3-34, Journal, p. 691, Globe, p. 1000; 1-33, Journal, p. 1345; 1-35, Journal, p. 1148, Globe, p. 3050.*

When the hour previously fixed for a recess arrives, the Chair declares the House in recess, even though a quorum be not present. (1482, 1483) *1-48, Journal, p. 1117; 1-51, Journal, p. 915, Record, p. 8035.*

(*s*) ***Charges against.***

A charge by a Member that the Journal of the House had been mutilated by the Speaker was made a question of privilege. (130) *1-31, Journal, p. 713.*

Being charged with mutilating the Journal, Speaker Cobb called Mr. Robert C. Winthrop to the chair, and, the House having given unanimous consent, made an explanation. (130) *1-31, Journal, p. 713.*

A Speaker, having been accused of a corrupt bargain by a Member, appealed to the House. (149) *2-18, Debates, pp. 440-523.*

SPEAKER PRO TEMPORE.

Under certain conditions the Speaker may appoint the Speaker *pro tempore;* under others the House elects. (53) *Rule I, section 7.*

The Speaker, by unanimous consent, may designate a Speaker *pro tempore* during an absence not caused by illness. (59) *1-55, Record, pp. 826, 840.*

The Speaker *pro tempore* whom the House had just elected not being present, the Clerk held that the motion to adjourn was not business, and under the circumstances was the only motion in order. (57) *1-44, Journal, p. 1153, Record, p. 4132.*

A Speaker *pro tempore* is not sworn. (55) *1-30, Journal, p. 923, Globe, p. 855.*

A Speaker *pro tempore* being elected, the Senate was notified of the election. (54) *1-5, Journal, pp. 266, 316, Annals, pp. 1475, 1835.*

May administer the oath. (15 and footnote) *2-55, Record, pp. 5967, 5973.*

There being doubt about the signing of enrolled bills by a Speaker *pro tempore* designated by the Speaker, the House proceeded to elect, and informed the Senate and President of its action. (60) *2-55, Record, p. 6757.*

A Speaker *pro tempore* by designation merely asks consent of the House before appointing committees. *2-57, Journal, p. 209, Record p. 1772; 1-59, Record, p. 8345.*

SPEAKER'S TABLE, BUSINESS ON.

The rule governing the disposition of business on the Speaker's table. (347) *Rule XXIV, section 2.*

Discretion of the Speaker in referring to committees bills on the Speaker's table. *2-56, Journal, pp. 303-305, Record, pp. 3331-3337; 2-57, Record, p. 2756.*

The Senate amendment requiring consideration in Committee of the Whole is referred from the Speaker's table to a standing committee, and the request for a conference gives no privilege. (351) *2-50, Journal, p. 348, Record, pp. 1216-1220.*

A House bill with Senate amendment requiring consideration in Committee of the Whole should be referred from the Speaker's table to the proper standing committee under the rules. (352-354) *1-51, Journal, pp. 758, 767, 770-772, Record, pp. 6281, 6314, 6353-6364; 3-58, Record, p. 2206.*

The point being made and sustained that a Senate amendment to a House bill must be considered in Committee of the Whole, the bill is referred directly from the Speaker's table to the standing committee having jurisdiction. (355, 356) *1-51, Journal, p. 1018; Record, p. 9827; 2-51, Journal, p. 340, Record, p. 3689.*

SPEAKER'S TABLE, BUSINESS ON—Continued.

A resolution directing the Speaker to lay before the House a House bill with Senate amendments requiring consideration in Committee of the Whole, which is on the Speaker's table, involves a change of the rules. (353) *1-51, Journal, p. 767, Record, pp. 6314, 6353.*

The three requisites for calling up a Senate bill directly from the Speaker's table are that the bill shall not require reference to Committee of the Whole; that a similar bill shall have already been reported by a House committee; and that it shall be called up at the request of a committee. (359) *2-54, Record, p. 847.*

Interpretation of the words "substantially the same" as used in reference to Senate bills on the Speaker's table. (360) *2-55, Record, p. 4805.*

A Senate concurrent resolution substantially the same as a House bill on the House Calendar is in order under section 2 of Rule XXIV. (358) *1-51, Journal, p. 541, Record, p. 3977.*

A Senate bill, in order to be brought up directly from the Speaker's table, must have come to the House after and not before a House bill substantially the same has been placed on the House Calendar. (357) *2-55, Record, p. 6552.*

If a Senate bill be such as to require consideration in Committee of the Whole, it may not be taken from the Speaker's table for consideration. (362-365) *1-51, Journal, pp. 726, 951, Record, pp. 5907, 8527; 2-51, Journal, p. 241, Record, p. 2623; 2-52, Journal, p. 52, Record, p. 717.*

The authorization of the committee being undoubted, a Senate bill need not necessarily be called from the Speaker's table by one of the committee. (361) *1-51, Journal, pp. 849, 850, Record, p. 7161.*

Business on the Speaker's table is deferred by privileged matters, but is in order when such have been disposed of. (377) *1-54, Record, p. 4761.*

See also "Order of business."

SPECIAL COMMITTEES.

See "Select committees."

SPECIAL ORDERS.

(*a*) *Making of.*
(*b*) *Uses and forms of.*
(*c*) *Precedence of.*
(*d*) *Relations to question of consideration.*
(*e*) *Relations to Committee of the Whole.*
(*f*) *Relations to Friday.*

SPECIAL ORDERS—Continued.

(*g*) *Postponement or rescinding of.*

(*h*) *General provisions.*

(*a*) *Making of.*

The making of special orders. (1308) *1-30, Journal, p. 580; 1-23, Journal, p. 785; 1-49, Journal, p. 2171, Record, pp. 6759-6760; 2-49. Record, p. 1781; 1-51, Record, p. 8349; 1-59, Record pp. 2693, 2694.*

Special orders are frequently made by unanimous consent. (1258, 1259) *1-30, Journal, p. 580; 2-55, Record, p. 4278.*

A special order amounts to a change of the rules and regularly can be adopted only in the manner prescribed for changing the rules, it being a change of the established order of business. (1254-1257) *1-23, Journal, p. 785; 3-27, Journal, p. 355, Globe, p. 276; 1-31, Journal, pp. 1096, 1176, Globe, pp. 1350, 1442.*

A special order reported by the Committee on Rules is agreed to by majority vote. *1-57, Record, p. 4820.*

It is not in order to move in the House that a subject be made a special order for a given date. *3-55, Record, p. 778.*

The Committee on Rules has jurisdiction to report a resolution for the consideration of a measure, even though the effect be to discharge a committee from a matter pending before it. (1542) *3-53, Journal, p. 104.*

A special order fixing a day for particular business is a change of rules and may be reported at any time as a privileged question by the Committee on Rules. (1539) *1-49, Journal, p. 2171, Record, pp. 6759-6760.*

The House may at a Friday evening session make a bill a special order for a future day. (1293, 1294) *1-50, Record, p. 2514; 1-51, Journal, pp. 588, 589, Record, pp. 4168, 4246, 4382.*

A bill called up in the morning hour may not be made a special order by a motion to postpone to a day certain. *1-56, Record, p. 2454.*

(*b*) *Uses and forms of.*

The use of special orders. (1308) *2-49, Record, p. 1781; 1-51, Record, p. 8349.*

Forms of special orders. (1309-1320) *1-54, Record, pp. 305, 343, 5281, 5466; 2-54, Record, p. 903; 1-49, Journal, pp. 2171, 2172, Record, pp. 6759, 6760; 3-53, Journal, p. 104; 2-53, Journal, pp. 61, 132; 1-55, Journal, p. 24, Record, pp. 72, 2478; 2-55, Record, p. 5566; 1-56, Record, pp. 160, 4028, 6300, Journal, pp. 69, 457, 647; 1-57, Journal, p. 811, Record, pp. 6866, 7608; 2-57, Journal, pp. 208, 240, Record, pp. 1743, 1746, 2151, 2155; 2-58, Journal, pp. 53, 54, 628, Record, pp. 254, 259, 5094; 3-58, Record, pp. 1947, 2785, 2789; 1-59, Record, pp. 1499, 4398, 7428, 7674.*

SPECIAL ORDERS—Continued.

(*b*) ***Uses and forms of***—Continued.

Forms of special orders for giving time to committees. (1313, 1314) *1-49, Journal, pp. 2171, 2172, Record, pp. 6759, 6760; 1-54, Record, p. 5466.*

Forms of special orders used for consideration of tariff bills. (1317, 1318) *2-53, Journal, p. 61; 1-55, Journal, p. 24, Record, p. 72.*

Forms of special orders providing for nonconcurring in Senate amendments. (1319, 1320) *1-55, Record, p. 2478; 2-55, Record, p. 5566; 2-57, Journal, p. 299, Record, pp. 2760, 2763.*

(*c*) ***Precedence of.***

When a bill has been made a special order for a certain day, its consideration takes precedence on such day over privileged reports. (1264) *1-49, Record, p. 7276.*

A privileged report is not in order on a day set apart by special order for another class of business. (1280) *1-52, Journal, p. 239, Record, pp. 5573, 5574.*

A special order does not lose its privilege because called up at a later hour than that specified by its terms. (1269) *1-51, Journal, p. 1078, Record, p. 10392.*

A motion to suspend the rules is not in order while the House is acting under a suspension of the rules on a special order. (1590) *2-29, Journal, p. 194, Globe, p. 401.*

A conference report may be presented during the time set apart by a special order for the consideration of another measure. (1400) *1-55, Record, pp. 1396, 1391; 3-55, Record, p. 2589.*

A question of privilege has precedence at a time set apart by special order for other business. (100) *1-51, Journal, pp. 936, 937, Record, pp. 8373, 8375.*

It has been ruled that the consideration of a special order may proceed before the approval of the Journal. (225) *2-53, Journal, pp. 308, 309.* See, however, (221-225) *1-34, Journal, p. 1253, Globe, p. 1710; 2-50, Record, pp. 676, 677; 1-52, Journal, p. 91, Record, p. 1825; 2-52, Journal, p. 98, Record, p. 1863; 2-53, Journal, pp. 308, 309.*

When two special orders are made for the same time the one made first has priority over the other, but the question of consideration can be raised against either of them. (1260,1261) *1-26, Globe, p. 325; 1-49, Record, p. 4543; 2-57, Record, p. 1019.*

A special order setting apart a day for the consideration of a particular bill or of business from a particular committee has precedence over a continuing order for the consideration of a bill or of business from a committee. (1262, 1263) *1-49, Journal, p. 1598, Record, p. 4483; 2-49, Record, p. 1684.*

SPECIAL ORDERS—Continued.

(*c*) ***Precedence of***—Continued.

Although a special order may set apart a day for a special purpose, yet the House may transact other business by unanimous consent. *2-57, Journal, p. 220; Record, pp. 1944-1947.*

When the terms of a special order are such as in effect to constitute an order of the previous question, business unfinished with the day set apart by the order does not fall, but is in order the next day after the reading of the Journal. (1270) *2-53, Journal, p. 448, Record, pp. 7596, 7597.*

When the previous question is ordered, whether by vote, by the terms of a special order, or by unanimous consent, and the execution of the order is prevented by adjournment, the question comes up the next day immediately after the reading of the Journal, even though that day be set apart for a different class of business. (983-988) *1-49, Journal, p. 2259, Record, pp. 7154, 7155; 2-50, Journal, pp. 381, 384, Record, pp. 1378, 1379; 1-51, Journal, p. 989, Record, pp. 9181, 9277; 1-52, Journal, p. 149, Record, p. 3359; 2-55, Record, pp. 5294, 6289.*

Several bills coming over with the previous question ordered, the Speaker held that the bill on which the order was first made had precedence. (989) *1-52, Journal, p. 347, Record, p. 6964.*

A bill on which the previous question has been ordered takes precedence of a special order, although the latter may provide for immediate consideration. *1-56, Record, p. 6249.*

If a bill which is made a special order for one day only is not taken up, or being taken up is left undisposed of on the day fixed, it loses its privilege thereafter. (1265-1267) *1-31, Journal, pp. 522, 631, 897, Globe, pp. 448, 960; 2-48, Journal, p. 248, Record, pp. 667, 668; 1-51, Journal, p. 567, Record, p. 4191; 3-55, Record, p. 1614.*

(*d*) ***Relations to question of consideration.***

The question of consideration may be raised against a special order. (1264) *1-49, Record, p. 7276.*

Though a bill may come up for consideration under the terms of a special order specifying the bill individually, yet the question of consideration may be raised. (824-827) *1-49, Journal, p. 2297, Record, p. 7335; 2-49, Journal, p. 581, Record, p. 1684; 1-50, Record, p. 2514; 2-50, Record, pp. 1062, 1400.*

It has been held that the question of consideration may not be demanded against a bill which comes up under a special order providing for its immediate consideration. (828) *2-53, Journal, pp. 484, 485, Record, p. 7548.*

SPECIAL ORDERS—Continued.

(*d*) ***Relations to question of consideration***—Continued.

The question of consideration may not be demanded against a class of business in order under a special order or a rule, but may be demanded against each bill individually as it is brought up. (822, 823) *1-47, Journal, p. 1540, Record, p. 5349; 2-50, Journal, p. 239, Record, p. 762.*

(*e*) ***Relations to Committee of the Whole.***

A bill being made a special order, the requirement that it shall be considered in Committee of the Whole is waived. (1268, 1301-1306) *1-47, Journal, p. 1540, Record, p. 5349; 3-45, Journal, pp. 241, 242, Record, p. 608; 2-47, Journal, pp. 162, 163, 181, Record, pp. 859, 860, 925, 926; 1-51, Journal, p. 260, Record, p. 1551; 1-54, Record, p. 4530; 2-55, Record, p. 3620; 1-57, Record, p. 6961.*

A bill which has been made a special order in the House is not subject to the point of order that it should be considered in Committee of the Whole. (782) *1-51, Journal, p. 388, Record, pp. 2663, 2664.*

When a bill in Committee of the Whole is made a special order, the effect of the order is to bring the bill into the House for consideration. (1307) *2-49, Record, p. 42.*

The House having resolved itself into Committee of the Whole for the purpose of considering a particular revenue or general appropriation bill, the Committee of the Whole may not take up another bill. (738) *3-46, Record, p. 1357.*

By refusing to go into Committee of the Whole to consider a bill which has been made a special order for consideration therein, the House may then consider business prescribed by the regular order. *1-57, Record, p. 2498.*

The Committee of the Whole has no authority to modify an order of the House. *1-56, Record, p. 555.*

A special order providing that a bill should be open to amendments in Committee of the Whole was held to prevent a motion to strike out the enacting clause. (1282) *1-55, Record, p. 252.*

Under direction of a special order the Speaker declares the House resolved into Committee of the Whole. (1281) *2-54, Record, p. 934.*

(*f*) ***Relations to Friday.***

Two days having been assigned a committee generally for consideration of its business, it was held that they should be days on which public business would be in order. (1297) *1-51, Journal, p. 315, Record, p. 2012.*

SPECIAL ORDERS—Continued.

(*f*) ***Relations to Friday***—Continued.

A special order providing for the consideration of a bill from day to day until disposed of includes Fridays, unless exception of that day is specially made. (1295, 1296) *1-32, Journal, pp. 401, 433; 2-48, Journal, p. 136, Record, pp. 364, 365.*

Continuing special orders sometimes except Friday. (1594) *1-30, Journal, p. 692.*

A private bill is in order for consideration at a Friday evening session, although it may previously have been made a special order by the House. (1298) *2-51, Journal, p. 280, Record, p. 3043.*

(*g*) ***Postponement or rescinding of.***

A special order may not be postponed. (822) *1-47, Journal, p. 1540, Record, p. 5349.*

A special order, when it is before the House, may be postponed by a majority vote. (1299, 1300) *1-29, Journal, p. 1170, Globe, p. 1164; 1-31, Globe, p. 1318; 2-58, Record, p. 3047.*

A resolution rescinding a special order was held, upon being submitted to the House, not to be in order as a privileged motion. (927) *1-48, Journal, p. 1051.*

(*h*) ***General provisions.***

Where a special order prohibited "intervening motions" between the vote on an amendment and the final vote, it was held that the motion to reconsider was not in order. (1283) *2-53, Journal, pp. 304, 305, Record, pp. 3421, 3422.*

A special order prohibiting "debate or intervening motion," it was held that an appeal should be entertained. *1-58, Journal, p. 81, Record, p. 388.*

The disposition of "pending amendments" when the hour arrives for a vote under the terms of a special order. (1284-1288) *1-52, Journal, p. 355, Record, p. 7100; 2-53, Journal, pp. 128, 441, 443, 445, Record, pp. 1792, 6732, 6736; 3-53, Journal, pp. 91, 92, 105, 110, 111, 114, Record, pp. 1517, 1921.*

Where a special order provides for the offering of certain specified amendments, none other is allowable either as an independent amendment or as an amendment to one of the specified amendments. (1289, 1290) *1-53, Journal, pp. 18, 21, 22.*

Amendments as substitutes for bills considered under special orders. (1291, 1292) *3-53, Journal, pp. 105, 110, 111, 114; 2-55, Record, p. 4451.*

Effect of the terms of a special order upon motions to adjourn and for a recess. (1272-1276) *2-50, Journal, pp. 321, 394, Record, pp. 1062, 1400; 2-53, Journal, pp. 292, 293, 295, 299, 454, Record, pp. 3349, 3403, 6906, 6919, 6920; 3-53, Journal, pp. 105, 110, 114.*

SPECIAL ORDERS—Continued.

(*h*) ***General provisions***—Continued.

The motion to commit after the engrossment and third reading and its relation to the terms of special orders. (1277-1279) *2-50, Record, pp. 1062, 1401; 3-53, Journal, p. 102; 1-55, Record, pp. 71, 556.*

A day being assigned a committee by a special order for the consideration of such business as it may present, it is in order for the committee to indicate any bill it may please, whether from its own bills from the Calendar, or from the Speaker's table. (1268) *1-47, Journal, p. 1540, Record, p. 5349.*

A session of the House extending, by failure to adjourn, through the next calendar day, a special order for the latter day falls, as the session is of the legislative and not the calendar day. (1271) *1-50, Journal, pp. 1491, 1505, 1506, Record, pp. 2749, 2755.*

To a proposed special order providing a time for the consideration of one bill, an amendment providing for the consideration of another bill was offered and held not to be germane. (1092) *2-51, Record, p. 3268.*

A special order does not deprive the Member of his right to demand the reading of the engrossed bill. *1-56, Record, pp. 6251, 6252.*

While a conference asked by the House was in progress on the House's disagreement to Senate amendments, by a special order the House discharged its conferees, receded from its disagreement, and agreed to the amendments. (1373) *2-53, Journal, pp. 563, 564, Record, pp. 8469, 8470.*

A special order made after the absence of a quorum had been suggested, but before such fact had been ascertained and announced, was decided to be valid. (278) *2-52, Journal, p. 33, Record, p. 380.*

The hour fixed by the rules for a recess having arrived, the Speaker declares the House in recess, although less than a quorum may be present. (277) *1-51, Journal, p. 934, Record, p. 8352.*

STAND ASIDE.

It has been held, although not uniformly, that in cases where the right of a Member-elect to take the oath is challenged, the Speaker may direct the Member to stand aside temporarily. *1-41, Journal, p. 7, Globe, pp. 6, 13; 1-47, Record, pp. 9-13.*

STATEMENT.

A conference report is always in order except when the Journal is being read, when the roll is being called, or when the House is dividing; and a statement must accompany each report. (1391) *Rule XXIX.*

STATEMENT—Continued.

A conference report may not be received if no statement accompanies it. (1404–1406) *2–51, Journal, p. 75; 1–54, Record, p. 5865; 2–54, Record, p. 1412; 1–57, Record, p. 4978.*

Whether or not the detailed statement accompanying a conference report is sufficient to comply with the rule is a question for the House and not the Speaker to determine. (1402, 1403) *2–49, Record, p. 2437; 3–53, Journal, pp. 15, 16.*

Although by long custom the House managers sign the statement accompanying a conference report, there is no rule requiring it. *2–56, Record, p. 3578.*

STATE FUNERAL.

Ceremonies at a state funeral. *3–55, Record, p. 679.*

STATES.

Legislation relating to admission of, is under the jurisdiction of the Committee on the Territories. (626) *Rule XI, section 17.*

Apportionment of Members to the several States. (1773) *Constitution, Article XIV, section 2, p. 45.*

STATIONERY.

The Clerk keeps the contingent fund and stationery accounts and pays Members' stationery accounts. (1712) *Rule III, section 3.*

The Clerk contracts for the stationery used by the House. (1714) *Revised Statutes, sections 66–69.*

Stationery for the House and committees is furnished on requisition by the Clerk. (1757) *Revised Statutes, sections 66–69; 2–40, Journal, p. 1173; 28 Stat. L., p. 624.*

Stationery for Members and committees. (1757, 1758) *2–40, Journal, p. 1173; 28 Stat. L., p. 624; Decision First Comptroller, 1893–94 (Bowler), p. 47; 15 Stat. L., p. 35.*

STATUARY.

Subjects relating to, belong to the jurisdiction of the Committee on the Library. (654) *Rule XI, section 56.*

Ceremonies at the reception of the statues. *2–57, Record, p. 1541; 3–58, Record, pp. 1078, 2801, 2809, 1202, 1214, 3429, 3450.*

Form of resolution accepting from a State a statue for Statuary Hall. *2–58, Journal, p. 224; Record, pp. 1421–1446.*

STATUTES, REVISIONS AND CODIFICATION OF.

Subjects relating thereto belong to the jurisdiction of the Committee on Revision of the Laws. (643) *Rule XI, section 35.*

STENOGRAPHERS.

The appointment, removal, and supervision of the official reporters are vested in the Speaker. (1678) *Rule XXXVI, section 1.*

The Record is for the proceedings only, and matters not connected therewith are rigidly excluded. (1686) *2-54, Record, p. 2258.*

STRIKE OUT, MOTION TO.

The parliamentary law relating to the motions to strike out and insert. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

A paragraph should be perfected by its friends before the question is put on striking it out. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

It is in order to perfect words proposed to be stricken out by striking out a portion of them. *2-58, Record, p. 5206.*

Motions to amend a paragraph take precedence of motions to strike it out or agree to it, although either of the latter motions may be made first. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

While amendments are pending to the section a motion to strike it out may not be offered. *1-59, Record, p. 7783.*

A bill being under consideration by paragraphs, a motion to strike out was held to apply only to the paragraph under consideration. *1-56, Record, p. 5981.*

Words once inserted may not be changed or stricken out, but words relating to the same subject may be added to another portion of the paragraph. (1048) *1-19, Journal, p. 794, Debates, p. 1261.*

A motion to strike out and insert certain words being defeated does not preclude a motion to strike out and insert certain other words or prevent the simple motion to strike out. (1047) *Jefferson's Manual, Section XXXV, p. 188.*

A substitute amendment may be amended by striking out all but the first word and inserting a new text. *2-57, Journal, pp. 132, 133, Record, p. 926.*

A motion to strike out and insert certain words being decided affirmatively, thereby precludes another motion to strike out the words inserted and insert others. (1047) *Jefferson's Manual, Section XXXV, p. 187.*

A motion to strike out a paragraph being pending, and the paragraph then being perfected by an amendment in the nature of a substitute, the motion to strike out necessarily falls. *3-58, Record, p. 662.*

A motion to strike out certain words being disagreed to, it is in order to strike out a portion of those words. *2-58, Record, p. 2693.*

STRIKE OUT, MOTION TO—Continued.

Certain words having been inserted in a paragraph, it is in order to move to strike out a portion of the paragraph which includes those words, providing the proposition involved be new; and in place of the portions stricken out in this way new matter may be inserted. (1047) *Jefferson's Manual, Section XXXV, p. 188; 1-57, Record, pp. 1614, 1616.*

The motion to strike out and insert is not divisible, but a motion to strike out being lost shall neither preclude amendment nor a motion to strike out and insert. (1044) *Rule XVI, section 7.*

On a motion to strike out a resolution and insert several connected resolutions the question is not divisible. (1133) *1-31, Globe, p. 1310.*

While a large part of a proposed amendment may be identical with some provisions of the bill already stricken out, yet if, as a whole, it contain matter substantially different from that already voted on, it is not necessarily out of order. (1053) *2-48, Journal, p. 191, Record, pp. 533, 534.*

When it is proposed to strike out certain words in a paragraph, it is not in order to amend by adding to them other words of the paragraph. *1-57, Record, p. 3636.*

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute. *1-57, Record, p. 6114.*

If it is proposed to amend by leaving out [striking out] certain words, it may be moved, as an amendment to this amendment, to leave out a part of the words of the amendment, which is equivalent to leaving them in the bill. *Jefferson's Manual, Section XXXV, p. 187.*

It is in order to move to recommit with instructions to strike out one of several propositions that have been inserted by an amendment agreed to by the House. (1041) *3-53, Journal, pp. 156-158, Record, p. 2729.*

The Senate having amended by striking out, the House may concur with an amendment inserting. (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

An amendment simply striking out words already in a bill may not be held not germaine. *2-58, Record, pp. 4059, 4060.*

STRIKE OUT ENACTING CLAUSE, MOTION TO.

See "Enacting clause."

SUBJECT.

In the House the Member must confine himself to the subject under debate. (872–876) *2–18, Debates, p. 810; 1–29, Journal, pp. 764, 769; 1–48, Journal, p. 1014; 2–51, Journal, p. 13, Record, p. 30; 2–55, Record, pp. 1632–1635.*

It has generally been held that the Member need not confine himself to the subject during general debate in the Committee of the Whole House on the state of the Union. (883–887) *1–26, Globe, pp. 338, 340, 360; 1–27, Globe, p. 135; 2–30, Globe, pp. 587, 592; 1–31, Globe, p. 1475; 1–32, Globe, p. 1856.*

In general debate in Committee of the Whole House the Member must confine himself to the subject. (888) *2–55, Record, pp. 2497–2500; 1–56, Record, p. 1676.*

In debate under the five-minute rule the Member must confine himself to the subject. (889–897) *1–31, Globe, pp. 1594, 1596; 1–51, Record, p. 3695; 1–52, Record, pp. 4689, 4690; 2–54, Record, p. 1355; 1–51, Record, p. 438; 2–55, Record, pp. 2142, 2244, 2245, 2735, 2736, 3226–3236; 1–56, Record, pp. 4482, 6742.*

While a Member rising to a question of personal privilege may be allowed some latitude in developing the case, yet the rule requiring the Member to confine himself to the subject holds in this case as in other cases. (878, 879) *1–51, Journal, pp. 992, 1013, Record, pp. 9189, 9191, 9676.*

A Member making a statement in a matter of personal privilege should confine his remarks to the matter which concerns himself personally. (905) *1–52, Journal, p. 142, Record, p. 3213.*

SUBPŒNAS.

To be signed by the Speaker. (45) *Rule I, section 4.*

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpœnas. (1712) *Rule III, section 3.*

SUBSTITUTE AMENDMENTS.

Under the rule relating to amendments the following motions are in order: To amend; to amend that amendment; for a substitute; and to amend the substitute. (1043) *Rule XIX.*

It is settled by the practice as well as by the rule of the House that there may be pending with the amendment to the amendment another amendment in the nature of a substitute. (1102) *1–31, Journal, pp. 1074, 1075, Globe, p. 1328.*

It is in order to move an amendment to the original bill as well as to the substitute reported therefor before the vote is taken on agreeing to the substitute. (1104) *1–49, Record, p. 7615.*

SUBSTITUTE AMENDMENTS—Continued.

A substitute may not be voted on until the original matter is perfected. (1043) *Rule XIX.*

An amendment in the nature of a substitute may be proposed before amendments to the original text have been acted on, but may not be voted on until after such amendments have been disposed of. (1049) *1-28, Journal, p. 807, Globe, p. 529.*

A new bill may be engrafted by way of amendment on the words "Be it enacted," etc. (1046) *Jefferson's Manual, Section XXXV, p. 187.*

When a bill is read through for amendments under the five-minute rule a substitute is properly in order after the reading is concluded. (1106) *2-53, Journal, p. 485, Record, pp. 7547, 7560.*

A bill being under consideration in the House as in Committee of the Whole, an amendment in the nature of a substitute is in order only after the consideration of the bill by sections has been completed. (807, 808) *2-53, Journal, pp. 350, 351, 484, 485, Record, pp. 4002, 7560.*

When it is proposed to offer a single substitute for several paragraphs of a bill which is being considered under the five-minute rule, the substitute may be moved to the first paragraph, accompanied by a notice that motions will be made to strike out the other paragraphs as they are reached. (1103) *2-46, Record, p. 3093.*

During consideration of a bill by paragraphs in Committee of the Whole a substitute was offered before all the paragraphs had been read, and as no further amendments had been or were now proposed to the text of the bill, and as the substitute had been debated, it was held to be in order to vote on the substitute. (1105) *2-49, Record, p. 1059.*

A Senate bill with a proposed committee amendment in the nature of a substitute being under consideration in Committee of the Whole, the bill was first read by sections for amendment and then the substitute was perfected. *1-57, Record, pp. 6419-6420.*

An amendment in the nature of a substitute is reported from the Committee of the Whole in its perfected form, amendments to the substitute not being noted in the report. *1-56, Record, pp. 3865, 3866; 2-56, Record, pp. 112-122; 2-57, Record, pp. 924, 925; 2-59, Record, pp. 4371, 4372.*

Sometimes by unanimous consent the House allows more than one substitute to be pending at once, in order that a choice may be offered between different propositions. (1107) *2-54, Record, pp. 554, 587.*

The formal amendment striking out the last word is not in order in considering an amendment to a substitute, being in the third degree. *1-57, Record, pp. 6425, 7446.*

SUBSTITUTE AMENDMENTS—Continued.

In considering an amendment to a substitute, an amendment in the nature of a substitute for the pending amendment was not admitted, being technically in the third degree. *1-59, Record, p. 9001;* see, however, *1-57, Record, p. 7446.*

A substitute amendment may be amended by striking out all but the first word and inserting a new text. *2-57, Journal, pp. 132, 133, Record, p. 926.*

An instance wherein a substitute text for a bill was offered as a substitute for the first section and agreed to, the remaining sections being stricken out afterwards. *2-57, Record, pp. 1078, 1081, 1084.*

Amendments as substitutes for bills considered under special orders. (1291, 1292) *3-53, Journal, pp. 105, 110, 111, 115; 2-55, Record, p. 4451.*

A disagreement to an amendment in the nature of a substitute having been referred to conferees, it was held to be in order for them to report a new bill on the same subject. (1420) *2-38, Journal, p. 414, Globe, p. 1402.*

An amendment, whether in the nature of a substitute or not, may be withdrawn in the House at any time before an amendment or decision is had thereon. (1043) *Rule XIX.*

A proposition offered as a substitute amendment and rejected may nevertheless be offered again as an amendment in the nature of a new section. *1-57, Record, p. 6473.*

The substitute resolutions presented in a contested-election case are on the same footing as other amendments of that kind, and are not divisible. *2-57, Journal, p. 291, Record, p. 2726.*

Substitute resolutions offered as an amendment are not divisible; but when agreed to a division of the original as amended may be demanded. *2-58, Record, pp. 1865, 1866.*

SUITES OF FOREIGN MINISTERS.

Have gallery accommodations assigned by the Speaker. (1741) *Rule XXXV.*

SUNDAY.

In the ordinary practice of the House Sunday is regarded as a dies non. *2-59, Record, p. 3923.*

Sunday is not taken into account in an adjournment for more than one and less than three legislative days. (1508) *1-54, Record, p. 401.*

An adjournment does not necessarily take place at 12 p. m. Saturday, it being for the House to decide whether or not it will continue in session on Sunday. (1503, 1504) *1-24, Journal, pp. 577-582, Globe, p. 265; 2-44, Record, p. 2242.*

SUNDAY—Continued.

Sunday may be a legislative day. *2-57, Journal, p. 220, Record, pp. 1944-1947.*

Sunday has been made a legislative day for eulogies of deceased Members. *2-57, Journal, p. 191, Record, p. 1579; 2-58, Record, p. 4594.*

A bill not returned by the President within ten days of its presentation to him (Sundays excepted) becomes a law unless Congress by their adjournment prevent its return. (1466) *Constitution, Article I, section 7, p. 7.*

SUNDRY CIVIL EXPENSES.

Appropriations for, are within the jurisdiction of the Appropriations Committee. (612) *Rule XI, section 3.*

An amendment providing for the construction of the Nicaragua Canal was held not to be germane to the sundry civil appropriation bill. *3-55, Record, p. 1872.*

River and harbor improvements not authorized or placed under contract may not be appropriated for in the sundry civil appropriation bill. *1-56, Record, pp. 5198, 5199; 2-57, Record, pp. 2081, 2083.*

SUPERINTENDENT OF DOCUMENT ROOM.

The Doorkeeper appoints superintendent of document room and his assistants. (1721) *28 Stat. L., p. 612.*

SUPERINTENDENT OF CAPITOL.

The Superintendent of the Capitol Building and Grounds exercises all the power and authority formerly exercised by the Architect of the Capitol. *32 Stat. L., p. 20.*

Concerts held on Capitol grounds under direction of. *31 Stat. L., p. 613.*

Operation of certain street cars on Capitol grounds under direction of. *31 Stat. L., p. 669.*

Employees in the heating, lighting, and ventilating departments of the House wing are under charge of the Superintendent of the Capitol Building and Grounds, subject to control of the Speaker. (1765) *21 Stat. L., p. 388.*

Concurrent authority over Capitol police. (1717) *Revised Statutes, sections 1821, 1823, 1824, 1825; 18 Stat. L., p. 345.* But the appointment of the police is now vested in the Sergeant-at-Arms of the two Houses. *31 Stat. L., 963.*

Authority relating to delivery of fuel at the Capitol. *31 Stat. L., p. 612.*

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Superintendent of the Capitol Building and Grounds enforces the law relating to exhibition of works of art in the Capitol. (1765) *18 Stat. L., p. 376; 20 Stat. L., p. 391.*

SUPERINTENDENT OF CAPITOL—Continued.

Care, preservation, etc., of Capitol devolves on. *4 Stat. L., p. 266; 19 Stat. L., p. 147.*

The Superintendent of the Capitol Building and Grounds supervises the repairs and plans and specifications of all furniture of the House. *32 Stat. L., p. 125.*

SUPERINTENDENT OF FOLDING ROOM.

The Doorkeeper appoints the superintendent of the folding room. (1721) *28 Stat. L., p. 610.*

SUPPLIES.

The Clerk makes or approves all contracts, bargains, or agreements relative to supplies or labor for the House. (1712) *Rule III, section 3.*

SUPREME COURT.

Have gallery accommodations assigned by the Speaker. (1741) *Rule XXXV.*

SURVEYS.

Respective jurisdictions of committees on Appropriations and Naval Affairs over appropriations for ocean and lake surveys. *1-56, Record, pp. 4391, 4427, 4443, 5135-5167, 6849, 6856, 6879-6885.*

SUSPENSION OF THE RULES.

(*a*) *General provisions.*
(*b*) *The second.*
(*c*) *Relation to other motions.*
(*d*) *More than one motion under.*
(*e*) *Committee days.*
(*f*) *Precedence of the motion.*
(*g*) *Withdrawal and modification of motion.*
(*h*) *Relation to quorum.*
(*i*) *The forty minutes' debate.*
(*j*) *As unfinished business.*

(*a*) ***General provisions.***

Rules are suspended by a two-thirds vote in the last six days of a session and on the first and third Mondays of each month, individuals having preference on the first Monday and committees on the third. (1556) *Rule XXVIII, section 1.*

It has been held that the rules permit but do not require the Speaker to entertain motions to suspend the rules. (1605) *2-53, Journal, p. 438, Record, p. 6476; 1-56, Record, pp. 5227, 6890.*

A motion to suspend the rules waives and suspends all requirements of the rules and brings the House directly to the vote. (1564) *1-51, Journal, p. 298, Record, p. 1881.*

SUSPENSION OF THE RULES—Continued.

(*a*) ***General provisions*—Continued.**

A division of the question may not be demanded on a vote on suspension of the rules. *1-59, Record, p. 6466.*

In general debate the Speaker recognizes with the purpose of securing alternation of the two sides; but this principle is not insisted on rigidly where a limited time is controlled by Members, as in the forty minutes' debate under section 3 of Rule XXVIII. *1-56, Record, pp. 4031, 4061, 4062.*

A special order, reported by the Committee on Rules, is agreed to by majority vote. *1-57, Record, p. 4820.*

The House, on a motion to suspend the rules, may authorize another motion to suspend the rules on a future day not a suspension day under the ordinary rules. *2-59, Record, p. 3232.*

Instance wherein, on a motion to suspend the rules, the House ordered the Clerk to incorporate in the engrossment of a general appropriation bill already passed a provision embodying legislation. *2-59, Record, p. 3494.*

(*b*) ***The second.***

Motions to suspend the rules must be seconded by a majority by tellers if a second be demanded. (1557) *Rule XXVIII, section 2.*

On a motion to suspend the rules it is the right of a Member to demand a second but not the duty of the Chair to call for it. *1-56, Record, p. 3660.*

The yeas and nays may not be demanded on the seconding of a motion to suspend the rules if a quorum be present on the vote by tellers. (1561) *2-55, Record, p. 6172; 1-59, Record, p. 7186.*

On a motion to suspend the rules the right to demand a second is not necessarily precluded by preliminary debate. (1560) *1-53, Journal, pp. 174, 175, Record, p. 3127.*

When suspension of the rules is asked to pass a bill a Member opposing the bill is entitled to demand a second, and thus control the time in opposition. (76) *2-54, Record, p. 2365; 2-56, Record, pp. 3444, 3445.*

On a motion to suspend the rules, a member of the committee which reported the bill is entitled to priority over other opponents of the bill in demanding a second. *3-58, Record, p. 1941; 1-59, Record, p. 6464.*

(*c*) ***Relation to other motions.***

A vote to suspend the rules may not be postponed indefinitely. (1583) *1-26, Globe, p. 121.*

It is not in order, according to the later practice, to lay on the table a motion to suspend the rules. (1581, 1582) *1-29, Journal, p. 363, Globe, p. 343; 2-35, Journal, p. 510, Globe, pp. 1418, 1419.*

SUSPENSION OF THE RULES—Continued.

(*c*) ***Relation to other motions***—Continued.

A motion to reconsider a vote upon a motion to suspend the rules is not in order. (1201) *2-31, Journal, p. 134, Globe, pp. 182, 225.*

Pending a motion to suspend the rules the Speaker may entertain one motion that the House adjourn, but thereafter no other dilatory motion may be made. (1559) *Rule XVI, section 8.*

Pending a motion to suspend the rules a motion for a recess is not in order. (1569, 1570) *1-45, Journal, p. 290, Record, pp. 811, 812; 1-53, Journal, pp. 174, 175, Record, p. 3127.*

During consideration of motion to suspend the rules and pass a bill it is not in order to move to commit the bill, or to demand a separate vote on amendments pending with the bill. *2-56, Record, pp. 2589-2592.*

(*d*) ***More than one motion under.***

The rules may be suspended by a single vote, so as to permit the House to vote immediately on an amendment to a bill and then on the bill. (1587) *1-44, Record, p. 444.*

On one motion to suspend the rules a vote whereby a resolution had been passed was reconsidered, the resolution amended, and as amended passed. *3-55, Record, p. 1504.*

The right to have read a paper on which the House is to vote may be abrogated by a suspension of the rules, even though the previous question may have been ordered. (1249-1253) *1-32, Journal, p. 1116, Globe, p. 2416; 3-34, Journal, p. 386, Globe, p. 631; 2-35, Journal, p. 572, Globe, p. 1668; 2-38, Journal, pp. 397, 398, Globe, p. 1334; 1-44, Journal, p. 1331, Record, p. 4861.*

It was formerly a practice to suspend the rules to enable bills to be reported from committees and at the same time considered in the House. (1592) *1-34, Journal, pp. 1172, 1173, Globe, p. 1558.*

(*e*) ***Committee days.***

On committee suspension days the Speaker sometimes calls the committees in regular order for motions to suspend the rules, but this method is not required by the rules. (1562, 1563) *3-46, Journal, p. 104, Record, pp. 273, 274; 1-51, Record, p. 1405.*

The motion to suspend the rules on a committee suspension day must be formally and specifically authorized by a committee. (1598, 1599) *1-51, Journal, p. 242, Record, p. 1405; 1-56, Record, p. 5821, Journal, p. 604.*

A committee may not move to suspend the rules and pass a bill which has not been referred to it. (1597) *1-52, Record, p. 8772.*

If, on a committee suspension day, an individual motion to suspend the rules is made and seconded, it is then too late to make a point of order. (1601) *1-50, Journal, pp. 1649, 1650, Record, pp. 3023, 3026.*

SUSPENSION OF THE RULES—Continued.

(*e*) ***Committee days***—Continued.

After a motion to suspend the rules has been seconded and debate has begun, it is too late to make the point that the motion has not been authorized by a committee. (1600) *2-51, Record, p. 489.*

A bill offered for passage on a committee suspension day may carry with it only such amendments as are authorized by the committee. *2-56, Record, pp. 2598, 2599.*

(*f*) ***Precedence of the motion.***

It is not in order to move a suspension of the rules while the House is acting under a suspension of the rules. (1588, 1589) *2-27, Globe, pp. 23, 58, 142.*

A motion to suspend the rules is not in order while the House is acting under a suspension of the rules on a special order. (1590) *2-29 Journal, p. 194, Globe, p. 401.*

If connected with the business immediately before the House, a motion to suspend the rules may be admitted while the House is acting under a suspension. (1591) *2-36, Journal, 190, 212.*

It is not in order to move a suspension of the rules while the previous question is operating. (1578) *2-33, Journal, p. 564, Globe, pp. 1176, 1177.*

A motion to suspend the rules may be entertained, although a measure on which the previous question has been ordered may be pending. (1565) *1-52, Journal, p. 349, Record, p. 6994.*

A question of high privilege being before the House, the Speaker held generally that a motion to suspend the rules was not in order while another motion was pending. (1604) *2-48, Record, p. 2565.*

Pending the decision of so high a question of privilege as the right of a Member to his seat, a motion to suspend the rules is not in order. (111) *2-44, Journal, p. 15, Record, p. 11.*

A motion to suspend the rules is in order pending a motion to fix the day to which the House shall adjourn, even when the latter motion is highly privileged. (1603) *2-52, Journal, p. 1099, Globe, pp. 4434, 4435.*

A motion to suspend the rules may be entertained pending a motion for a recess, even when the latter motion is highly privileged. (1602) *2-42, Journal, p. 1099, Globe, pp. 4434, 4435.*

While a motion to suspend the rules was under debate the Speaker declined to declare the House in recess at 5 p. m. Friday. (1593) *1-52, Journal, pp. 274, 277, Record, p. 5919.*

The motion to go into Committee of the Whole to consider general appropriation bills is highly privileged and may be made on a "suspension day." (391) *2-51, Journal, p. 251.*

SUSPENSION OF THE RULES—Continued.

(*g*) ***Withdrawal and modification of motion.***

According to the later practice, where the rules are suspended to enable a Member to submit a particular proposition, if he withdraw it another Member may not renew it. (1584, 1585) *1-23, Journal, p. 631; 2-36, Journal, pp. 131, 140, Globe, pp. 233, 235, 244.*

A motion to suspend the rules may not be amended. (1579, 1580) *2-30, Globe, pp. 319, 320; 2-35, Journal, p. 477, Globe, p. 1324.*

The rules having been suspended simply for the introduction of a matter, that matter may be amended. (1583, 1594) *1-26, Globe, p. 121; 1-30, Journal, p. 692.*

After the rules have been suspended to allow a proposition to be submitted, it may not be modified by the mover. (1577) *1-31, Globe, p. 1727.*

On a motion to suspend the rules, as on other motions, a Member has the right to modify a proposition submitted by him at any time before action which places it within the control of the House. (1595) *1-50, Journal, pp. 2716, 2722, Record, p. 3232.*

A committee which has presented a bill, but on which a second has not yet been ordered, may withdraw it on a succeeding suspension day. (1574) *2-51, Journal, p. 55, Record, pp. 488, 489.*

A motion to suspend the rules may be withdrawn at any time before a second is ordered. (1596) *1-53, Journal, pp. 174, 175, Record, p. 3127.*

(*h*) ***Relation to the quorum.***

The presence of a quorum being disclosed, a motion for a call of the House is not in order pending a motion to suspend the rules. (1568) *1-52, Journal, p. 277, Record, p. 5922.*

When a quorum fails after a motion to suspend the rules, the motion to adjourn may not be repeated unless a quorum fails to appear on a call of the House. (1567) *1-47, Record, pp. 2081, 2082, 2088.*

Pending a motion to suspend the rules, a motion to adjourn having been voted down and no quorum voting to second the former motion, it was held that the motion to adjourn might be repeated. (1502) *2-50, Journal, p. 103, Record, pp. 300, 301.*

After a motion to suspend the rules has been made and one motion to adjourn has been negatived, a second motion to adjourn may be entertained after the lack of a quorum has been ascertained. *3-55, Record, p. 2121.*

On a vote to second by tellers a motion to suspend the rules a quorum did not vote, whereupon the Speaker counted those present, and, a quorum being ascertained, decided that the motion was seconded. (243) *1-51, Journal, p. 243, Record, p. 1415.*

SUSPENSION OF THE RULES—Continued.

(*h*) ***Relation to the quorum***—Continued.

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. *2-56, Record, p. 3444; 1-57, Journal, p. 815, Record, p. 6886; 1-59, Record, p. 4609.*

(*i*) ***The forty minutes' debate.***

Forty minutes of debate are allowed on a motion to suspend the rules and where the previous question has been ordered on a proposition on which there has been no debate. (1558) *Rule XXVIII, section 3.*

On a motion to suspend the rules the forty minutes of debate are allowed, although the proposition presented may not otherwise be debatable. (1566) *2-52, Journal, p. 142, Record, p. 2606.*

Except as specially provided by rule, the motion to suspend the rules is not debatable. (1586) *2-27, Globe, p. 121; 1-29, Journal, p. 363, Globe, p. 343.*

(*j*) ***As unfinished business.***

The question as to whether or not a bill on which a second fails to be ordered on a suspension day comes over as unfinished business to the next suspension day. (1575, 1576) *2-52, Journal, p. 122, Record, p. 2353; 2-55, Record, p. 4521.*

A motion to suspend the rules pending and undisposed of on one suspension day is first in order on the next, the individual motion going over to committee day, and *vice versa.* (1571, 1573) *1-50, Journal, p. 1956, Record, p. 4474; 1-54, Record, p. 6197.*

A bill, which on a suspension day was withdrawn with an agreement that it should be unfinished business on the next suspension day, was held to continue as unfinished business, although not called up on the day named. *3-55, Record, pp. 1501, 1502.*

SWEARING IN.

See also *Oath.*

Form of oath taken by Members and Delegates. (14) *Revised Statutes, section 1757.*

The rule providing for the election and swearing in of the elective officers of the House. (1704) *Rule II.*

TABLE, MOTION TO LAY ON.

See "Lay on the table."

TARIFF BILLS.

See *Revenue.*

TARIFF COMMISSION.

A bill providing for a tariff commission was decided not to be a revenue bill within the meaning of the rule giving such bills privilege. (403) *1-47, Record, pp. 1681-1687.*

TAX.

All bills laying a tax or charge on the people or appropriating money or property must be considered in Committee of the Whole. (764) *Rule XXIII, section 3.*

The tax upon the circulation of national banks and a State tax on Federal currency have been held not to be taxes upon the people within the meaning of the rule. (793, 794) *1-38, Journal, p. 537, Globe, p. 1680; 2-53, Journal, p. 467, Record, p. 7140.*

TELEGRAPH BETWEEN THE MISSISSIPPI AND PACIFIC.

Subjects relating to, are under jurisdiction of the Committee on Pacific Railroads. (631) *Rule XI, section 23.*

TELEGRAPH LINE.

Use of telegraph line to Departments by Members. (1787) *18 Stat. L., p. 20.*

TELEPHONE PAGES.

The pages of the House, except the chief pages, riding pages, and telephone pages, shall not be under 12 or over 18 years of age. *31 Stat. L., p. 968.*

TELLERS.

(*a*) *General provisions.*
(*b*) *In Committee of the Whole.*
(*c*) *In relation to quorum.*

(*a*) ***General provisions.***

Rule for putting the question and for voting by division and tellers. (46) *Rule I, section 5.* The present membership being 391, and a quorum of a full House 196, the number required to order tellers in the House is 40. In Committee of the Whole the number is 20.

The parliamentary law provides that a mistake in the report of the tellers may be rectified after it is made. (1123) *Jefferson's Manual, Section XLI, p. 201.*

After the Chair has declared the result of a vote by tellers, he may not order the vote taken again because of alleged irregularities. (1141) *1-29, Globe, p. 347.*

The count by tellers becoming uncertain by reason of confusion, the Chair ordered the vote taken again. *3-58, Record, p. 3001.*

TELLERS—Continued.

(*a*) ***General provisions***—Continued.

Before the chairman had declared the result of a vote by tellers, a question arose as to the count, and by unanimous consent the vote was taken again. *2-58, Record, p. 2280.*

The Chair may be counted on a vote by tellers. *2-56, Record, p. 2434; 2-58, Record, p. 2049.*

While the proceedings of the House were going on under general parliamentary law, it was held that no rule authorized or required the appointment of tellers. (1142) *1-51, Journal, p. 144, Record, pp. 741-749.*

The yeas and nays may be called for while a vote by tellers is being taken. (1148) *2-28, Globe, p. 121.*

A demand for tellers is not precluded or set aside by the fact that the yeas and nays are demanded and refused. *1-59, Record, p. 7473.*

One of two Members named as tellers having declined, and a third Member being named and also declining, the Speaker directed the Member who had accepted the appointment to count the vote. (1146) *2-53, Journal, pp. 284, 286, 287, Record, p. 3340.*

After gentlemen favoring an amendment had declined to act as tellers for a pending vote, the Chair appointed the second teller from those opposed. *2-59, Record, p. 4371.*

In voting by ballot, blanks are rejected, not being taken into the count or reported by the tellers. (1125) *Rule XL.*

The Speaker has ruled a demand for tellers dilatory when satisfied that it was made only for purposes of delay. (1623, 1624) *2-55, Record, pp. 2559-2566, 3234.*

Motions to suspend the rules must be seconded by a majority by tellers. (1557) *Rule XXVIII, section 2.*

An instance wherein a Delegate was appointed a teller. *2-58, Record, p. 736.*

(*b*) ***In Committee of the Whole.***

In the Committee of the Whole, where the quorum is one hundred, twenty may order tellers. (1144) *1-51, Record, pp. 4784, 4786.*

Tellers having been ordered and appointed, it is not in order to move that the Committee of the Whole rise until the vote has been announced. (757, 1147) *1-51, Record, p. 5315; 2-55, Record, p. 605.*

In Committee of the Whole, a motion that the committee rise may not be made until a demand for tellers on the pending question has been disposed of. *2-58, Record, pp. 2709, 2710; 1-59, Record, p. 3301.*

TELLERS—Continued.

(*c*) ***In relation to the quorum.***

It is not necessary that a quorum vote on a question taken by tellers providing a quorum be present. . (243) *1-51, Journal, p. 243, Record, p. 1415.*

The right to demand tellers is not waived by the fact that the Member demanding them has just made the point of no quorum and caused the Chair to count the House. (1143) *1-51, Journal, pp. 528, 529, Record, p. 3911; 1-59, Record, p. 4462.*

Where the vote as announced by tellers shows no quorum, and a motion for a call of the House is interjected and voted down, it is customary to take the vote by tellers anew on the original question instead of continuing the count of additional votes. (1145) *2-52, Journal, p. 117, Record, p. 2240.*

The yeas and nays may not be demanded on a second to a motion to suspend the rules if a quorum be present on the vote by tellers. *1-59, Record, p. 7186.*

On seconding, by tellers, a motion to suspend the rules, a quorum failed, whereupon the Speaker ordered the doors closed and the roll called. *2-56, Record, p. 3444; 1-59, Record, p. 4609.*

When, on division, less than a quorum votes, and then tellers or the yeas and nays are refused, the point of no quorum may still be made, according to the latest ruling. (269-275) *1-51, Journal, p. 856, Record, p. 7262; 2-52, Journal, p. 58, Record, p. 834; 1-53, Journal, p. 30; 1-54, Record, p. 3299; 2-52, Journal, p. 53; 1-54, Record, p. 5824; 2-55, Record, p. 3863; 1-56, Record, p. 5815; 3-58, Record, p. 600.*

TEMPORARY COMMITTEE ON ACCOUNTS.

At the end of each Congress the Speaker appoints a Temporary Committee on Accounts to continue until the organization of the House in the next Congress. (1734) *28 Stat. L., p. 768.*

The Comptroller of the Treasury has no jurisdiction over accounts approved by the Temporary Committee on Accounts. (1735) *Decisions Comptroller of Treasury (Bowler), Vol. II, p. 24.*

As to the allowance for clerk hire to the chairman of the Temporary Committee on Accounts. (1736) *Decisions Comptroller of Treasury (Bowler), Vol. I, p. 384.*

TERRITORIES.

A Delegate may not object to the consideration of a measure (39) *1-39, Globe, p. 3007,* but may make all motions except to reconsider. (36-39) *2-30, Journal, p. 503, Globe, p. 581; 1-31, Journal, p. 1280; 1-39, Globe, p. 3007.*

TERRITORIES, COMMITTEE ON THE.

Its powers, duties, jurisdiction, number of Members, and history. (626) *Rule X; Rule XI, section 17.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

TESTIFY.

Questions of privilege have frequently arisen over the failure or refusal of witnesses to appear before committees of the House, or their refusal to testify when they have appeared. (170–175) *2–33, Journal, p. 315; 3–34, Journal, p. 241, Globe, p. 356; 1–35, Journal, pp. 258, 371, 750, 821, Globe, pp. 684, 715, 1240; 2–35, Journal, pp. 411, 430, 451; 3–40, Journal, pp. 226, 250, Globe, pp. 687, 720.*

TESTIMONY.

On a motion to commit papers, the reading of them may be demanded, but the rulings differ as to testimony accompanying a report which is to be committed. (1240, 1241) *1–34, Journal, p. 1146, Globe, p. 1535; 2–50, Journal, p. 571, Record, p. 2118.*

TEXT OF A BILL.

There is no rule requiring that the text of a bill which has been read in the House shall be printed in either the Journal or the Record. (1683–1685) *2–48, Journal, pp. 354, 356, Record, pp. 1020, 1021, 1025; 1–53, Journal, p. 125; 1–54, Record, p. 47.*

The printing of an argument with the text of a bill was held to involve a question of privilege, and the House ordered the objectionable portions stricken out. *1–56, Record, pp. 788, 789, Journal, p. 152.*

TEXT TO WHICH BOTH HOUSES HAVE AGREED.

In considering a bill which has been amended by the other House, it is not in order to change the text to which both Houses have agreed. (1342) *2–48, Journal, p. 719, Record, p. 2304; 1–57, Record, pp. 4593, 4595, 4597.*

The House may not, even by unanimous consent, change the text to which both Houses have agreed. *1–57, Record, p. 4956.*

The text to which both Houses have agreed may not be amended, even by adding a new section at the end of the bill. *1–57, Record, p. 4642.*

The fact that an amendment proposed to a Senate amendment would in effect change a provision of the text to which both Houses have agreed does not constitute a reason why the Speaker should rule it out. *1–57, Record, pp. 2189–2190.*

TEXT TO WHICH BOTH HOUSES HAVE AGREED—Continued.

Anything in a bill agreed to by both Houses may not be stricken out at a conference. (1321) *Jefferson's Manual, Section XLV, p. 206.*

Managers of a conference may not change text to which both Houses have agreed; and it is not in order to give such instructions to conferees as would require changes in the text to which both Houses have agreed. (1380) *2-51, Journal, p. 333, Record, pp. 3610, 3611; 2-58, Journal, p. 404, Record, pp. 2931, 2932, 2994; 2-59, Record, p. 4483.*

THANKS OF CONGRESS, PERSONS WHO HAVE RECEIVED.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

THANKS TO SPEAKER.

The resolution of thanks to the Speaker. (1531) *2-54, Record, pp. 2981, 2986; 2-56, Record, p. 3604; 2-58, Record, pp. 5849, 5850.*

THIRD READING.

On the votes on the engrossment and third reading, and on the passage, a division, so as to vote separately on various propositions of the bill, may not be demanded. (1137) *1-53, Journal, pp. 21, 22.*

TIE VOTE.

Where the House is equally divided, the question is lost. (1123) *Jefferson's Manual, Section XLI, p. 201.*

Instances where the Chair, in case of a tie vote on an appeal, broke the tie by voting in the affirmative. (888, 1223, 1677, footnote) *2-55, Record, pp. 2497-2500; 1-28, Journal, p. 618, Globe, p. 414; 1-31, Globe, p. 1608; 2-55, Record, p. 2500.*

Its relation to Speaker's vote. (49 and footnote) *Rule I, section 6.*

TITLE.

Amendments to the title of a bill or resolution are not in order until after its passage, and are voted on without debate. (1043) *Rule XIX.*

An amendment to the title of a bill is not in order on the day succeeding its passage, before the reading of the Journal. (1055) *2-53, Journal, p. 132, Record, pp. 1806, 1807.*

A committee have full power over a bill, but may not change the title or subject. (601) *Jefferson's Manual, Section XXVI, p. 166.*

The ordering of the previous question to the final passage of a bill was held to exclude a motion to strike out the title. *1-59, Record, pp. 7102-7105.*

TITLE—Continued.

Procedure for amendment of the title when the bill is considered in the House as in Committee of the Whole. *1-59, Record, p. 2693.*

The reading of a bill by paragraphs being completed in Committee of the Whole, it was held to be too late to make a point of order in committee against the title. *2-56, Record, p. 2708.*

TRADE-MARKS.

Subjects relating to, belong to the jurisdiction of the Committee on Patents. (636) *Rule XI, section 28.*

TREATY-MAKING POWER.

Alleged infringement by the treaty-making power on the constitutional right of the House to originate revenue measures presents a question of privilege. (139) *2-49, Journal, pp. 349, 350, Record, p. 917.*

A question as to the prerogatives of the House in relation to treaties affecting the revenue. *1-57, Journal, p. 287, Record, p. 1178.*

Approvals by Congress of reciprocity treaties affecting customs duties. *10 Stat. L., pp. 587, 1092; 13 Stat. L., p. 566; 19 Stat. L., p. 200; 24 Stat. L., p. 988; 25 Stat. L., p. 1370; 33 Stat. L., p. 3.*

TUCKER ACT.

Provisions of the Bowman and Tucker acts. (1437) *22 Stat. L., p. 485; 24 Stat. L., p. 505.*

TWO-THIRDS VOTE.

The two-thirds vote required for the passage of a vetoed bill is construed to mean two-thirds of those present. (1470, 1471) *1-34, Journal, pp. 1176, 1178, 1420, Globe, pp. 1563, 2036.*

The same rule applies to amendments to the Constitution. (1128) *2-55, Record, p. 4826.*

A person who, having taken the oath, afterwards engages in insurrection or rebellion is disqualified as a Member; but the disability may be removed by a two-thirds vote. *Constitution, Article XIV, section 3, p. 45.*

Proposed amendments to the Constitution may be amended by a majority vote. *1-56, Record, p. 4128, Journal, pp. 467, 468.*

UNANIMOUS CONSENT.

A bill being before the House by unanimous consent, it is subject to any amendment which may be proposed under the rules. (1054) *1-45, Journal, p. 223, Record, pp. 458, 459.*

A demand for the regular order is equivalent to an objection to a request for unanimous consent. (446) *1-52, Journal, p. 351, Record, p. 7028.*

UNANIMOUS CONSENT—Continued.

The Member should rise in objecting to a request for unanimous consent. *1-57, Record, p. 4641.*

The withdrawal of an objection to the consideration of a bill does not bring it again before the House if other business has been taken up. (445) *2-55, Record, pp. 5159, 5161.*

Although a special order may set apart a day for a special purpose, yet the House may transact other business by unanimous consent. *2-57, Journal, p. 220, Record, pp. 1944-1947.*

The House having given unanimous consent for the consideration of a bill with a proposed committee amendment, this action was held to be in effect an affirmative decision of the question of consideration, thus precluding a point of order against the amendment. *1-56, Record, pp. 4615, 4616, Journal, pp. 500, 501.*

A Delegate may not object to the consideration of a measure. *2-56, Record, pp. 3463, 3464.*

UNFINISHED BUSINESS.

(*a*) *General provisions.*
(*b*) *On Friday.*
(*c*) *When the previous question is ordered.*
(*d*) *Suspension of the Rules.*

(*a*) ***General provisions.***

The rule governing the disposal of unfinished business. (366) *Rule XXIV, section 3.*

The unfinished business in a Committee of the Whole is first in order. (738) *1-54, Record, p. 4101.*

A quorum failing on a division, the matter continues in the state in which it was before the division and must be resumed at that point at a future day. (240) *Jefferson's Manual, Section XLI, p. 201.*

Unfinished business on a day assigned to a committee goes over to the next day had by the committee. (368) *3-44, Journal, 860, Record, p. 2737.*

A bill once brought up in the morning hour is considered until disposed of, although its consideration may extend over more than two days. (383) *2-55, Record, pp. 6593, 6594.*

A bill brought up in the morning hour and undisposed, remains as unfinished business during call of committees only. *1-59, Record, pp. 3639, 3640.*

The rule relating to business before committees unfinished at the end of the session. (367) *Rule XXVII.*

UNFINISHED BUSINESS—Continued.

(*a*) ***General provisions***—Continued.

If a bill which is made a special order for one day only is not taken up, or being taken up is left undisposed of on the day fixed, it loses its privilege thereafter. (1265–1267) *1–31, Journal, pp. 522, 631, 897, Globe, pp. 448, 960; 2–48, Journal, p. 248, Record, pp. 667, 668; 1–51, Journal, p. 567, Record, p. 4191; 3–55, Record, p. 1614.*

Business unfinished on a District of Columbia day does not come up on the next District day unless called up. (1444) *2–53, Journal, p. 425, Record, p. 6121; 1–59, Record, p. 7567.*

A bill unfinished at a session of the Committee of the Whole House on the state of the Union held under section 5 of Rule XXIV is again in order when the House goes into Committee of the Whole to consider it under that rule. *1–56, Record, p. 1286.*

It has been held that when the question of consideration is undisposed of at an adjournment, it does not recur as unfinished business on the succeeding day. (820, 821) *2–53, Journal, pp. 57, 66, 67, Record, pp. 501, 508, 509.*

A question of privilege pending at an adjournment does not come up on the succeeding day as unfinished business unless called up. (186) *1–53, Journal, p. 114.*

(*b*) ***On Friday.***

The unfinished business of a Friday, whether of a day or evening session, is in order before the motion to go into Committee of the Whole House. (369–373) *1–51, Journal, p. 344, Record, p. 2237; 2–52, Journal, p. 33, Record, p. 381; 1–54, Journal, p. 365; 2–55, Record, pp. 1982, 2737.*

Each Friday, after the unfinished business is disposed of, the motion to go into Committee of the Whole House to consider business on the Private Calendar is in order. (1422) *Rule XXIV, section 6.*

An appeal pending at an adjournment Friday, but not belonging to the class of business for which Friday is set apart, comes up on the succeeding day. (1672) *1–51, Journal, pp. 770–772, Record, p. 6353.*

(*c*) ***When the previous question is ordered.***

Bills coming over with the previous question ordered do not lose their privileged position by reason of neglect to call them up. (370) *2–52, Journal, p. 33, Record, p. 381; 3–55, Record, p. 1635.*

When the terms of a special order are such as in effect to constitute an order of the previous question, business unfinished with the day set apart by the order does not fall, but is in order the next day, after the reading of the Journal. (1270) *2–53, Journal, p. 448, Record, pp. 7596, 7597.*

UNFINISHED BUSINESS—Continued.

(*a*) ***Suspension of the rules.***

A motion to suspend the rules pending and undisposed of on one suspension day is first in order on the next, the individual motion going over to committee day, and *vice versa*. (1571, 1573) *1-50, Journal, p. 1956, Record, p. 4474; 1-54, Record, p. 6197.*

The question as to whether or not a bill on which a second fails to be ordered on a suspension day comes over as unfinished business to the next suspension day. (1575, 1576) *2-52, Journal, p. 122, Record, p. 2353; 2-55, Record, p. 4521.*

A bill which, on a suspension day, was withdrawn, with an agreement that it should be unfinished business on the next suspension day, was held to continue as unfinished business, although not called up on the day named. *3-55, Record, pp. 1501, 1502.*

UNION CALENDAR.

See Calendars. (345) *Rule XIII, section 1.*

VENTILATION AND ACOUSTICS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of members, and history. (649) *Rule X; Rule XI, section 41.*

A resolution from the Committee on Ventilation and Acoustics, relating to the comfort of members in the Hall, was presented as a question of privilege and received as such. (1738) *2-53, Journal, p. 421, Record, pp. 5924, 5989.*

VETO.

Provisions of the Constitution relating to the approval and disapproval of bills by the President. (1466) *Constitution, Article I, section 7, p. 7.*

The Constitution provides that orders, resolutions, or votes, passed in concurrence by the two Houses and disapproved by the President, shall be repassed by a two-thirds vote. (452) *Constitution, Article I, section 7, p. 7.*

The vote upon a bill returned with the President's objections is in all cases by yeas and nays. (1157) *Constitution, Article I, section 7, p. 7.*

When a bill is returned to the House with the objections of the President it is usual to have the message read at once. (1468-1470) *1-29, Journal, pp. 1209, 1214, 1218, Globe, p. 1183; 1-34, Journal, pp. 1176, 1178, Globe, p. 1563; 2-27, Journal, pp. 1032, 1051, Globe, pp. 695, 717.*

While question of privilege is pending a veto message from the President may be received, but may not be acted on. (437, 438) *2-53, Journal, pp. 292, 293, 295, Record, pp. 3351-3353.*

VETO—Continued.

A veto message may not be read or considered in the absence of a quorum. (1472) *1-33, Journal, p. 1341, Globe, p. 2144.*

To become a law a vetoed bill must receive on reconsideration a two-thirds vote, the yeas and nays of which must be entered on the Journal. (1466) *Constitution, Article I, section 7, p. 7.*

The two-thirds vote is construed to mean two-thirds of those present. (1470, 1471) *1-34, Journal, pp. 1176, 1178, 1420, Globe, pp. 1563, 2036.*

A vetoed bill received by way of the Senate is considered as if received directly from the President. (1470, 1471) *1-34, Journal, pp. 1176, 1178, 1420, Globe, pp. 1563, 2036.*

The House has decided that a veto message may be referred to a committee, even without the bill. (1478) *2-27, Journal, pp. 1253-1257, Globe, pp. 873, 875, 905.*

A motion to discharge a committee from the consideration of a vetoed bill presents a question of privilege and is in order at any time. (124) *1-49, Journal, p. 2397, Record, p. 7699.*

While the simple motion to refer a vetoed bill is in order it is not permissible to move to commit, pending the demand for the previous question on the motion to reconsider the bill or after the previous question is ordered. (1479) *1-47, Journal, p. 1792, Record, p. 6803.*

The House may postpone the consideration of a vetoed bill to a future day. (1473-1477) *1-21, Journal, p. 742, Debates, 1138; 1-28, Journal, pp. 1081, 1084, 1085, Globe, p. 663; 2-33, Journal, p. 8, Globe, p. 2; 2-54, Record, pp. 2667, 2668; 3-53, Journal, p. 190.*

The question of consideration may not be demanded against a bill returned with the objections of the President. (836, 837) *2-53, Journal, p. 312, Record, pp. 3458, 3459; 3-53, Journal, p. 190.*

A vote on the reconsideration of a vetoed bill may not be reconsidered. (1200) *1-28, Journal, pp. 1093, 1097, Globe, pp. 665-675.*

The Constitution provides that the President's objections to a bill shall be entered at large on the Journal. (214) *Constitution, Article I, section 5, p. 7.*

Provisions of the statutes relating to bills passed over the President's veto. (1467) *18 Stat. L., p. 294.*

VICE-PRESIDENT OF THE UNITED STATES.

Entitled to the privileges of the floor of the House during its sessions. (1740) *Rule XXXIV.*

The Vice-President may be removed on impeachment for treason, bribery, or other high crimes or misdemeanors. (1695) *Constitution, Article II, section 4, p. 23.*

VICE-PRESIDENT OF THE UNITED STATES—Continued.

Subjects relating to the election of, belong to the jurisdiction of the Committee on Election of President, Vice-President, and Representatives in Congress. (645) *Rule XI, section 37.*

Arrangements for the inauguration of the President of the United States (but not Vice-President) made by a joint committee of the two Houses. *2-56, Journal, p. 194, Record, p. 1960.*

VIEWS OF THE MINORITY.

The minority of a committee may not make a report, but may file their views, which may be placed on the Calendar under the rule. (707-711) *1-24, Journal, p. 561, Globe, p. 261; 1-31, Globe, p. 1334; 1-47, Journal, p. 1709, Record, pp. 6417-6419; 2-27, Globe, p. 248; 2-41, Globe, p. 954.*

The rule requires that the views of the minority shall be presented at the same time as the report of the committee. (712) *1-54, Record, p. 6112.*

Views of the minority may not include transcripts of testimony or other matters not strictly in the nature of argument. *1-56, Record, pp. 6759, 6760.*

VISITS.

Visits and relations between the Houses. (1775, 1776) *1-40, Globe, p. 253; 2-55, Record, p. 4212.*

In 1804, and in cases since, the House has attended an impeachment as a Committee of the Whole. (1698) *1-8, Journal, p. 516, Annals, pp. 805-876.*

VISITORS.

To the Members' gallery the Speaker issues one card to each Member for his family and visitors, and in this gallery the Speaker controls one bench. (1741) *Rule XXXV.*

VOTING.

(*a*) *General provisions.*
(*b*) *Business during.*
(*c*) *Change and withdrawal of votes.*
(*d*) *Errors in.*
(*e*) *On vetoed bills.*
(*f*) *The electoral vote.*
(*g*) *Elections by the House.*
(*h*) *Amendment to the Constitution.*
(*i*) *By tellers.* See "Tellers."

VOTING—Continued.

(*j*) *By yeas and nays.* See "Yeas and nays."
(*k*) *The roll call.* See "Roll call."
(*l*) *By ballot.* See "Ballot."
(*m*) *Speaker's vote.* See "Speaker."
(*n*) *Tie votes.* See "Tie vote."
(*o*) *Division of question.* See "Division of the question."
(*p*) *Pairs.* See "Pairs."
(*q*) *In relation to quorum.* See "Quorum."
(*r*) *Disqualifying personal interest.* See "Personal interest."

(*a*) ***General provisions.***

Rule for putting the question and for voting by division and tellers. (46) *Rule I, section 5.*

General provisions of the parliamentary law relating to voting. (1123) *Jefferson's Manual, Section XLI, pp. 197–201.*

The question on agreeing to committee amendments is put by the Chair without motion from the floor. *1–59, Record, p. 7445.*

Where the House is equally divided the question is lost. (1123) *Jefferson's Manual, Section XLI, p. 200.*

Attempts to compel Members to vote have resulted unsuccessfully. (1126) *1–24, Journal, p. 580, Globe, p. 265.*

Members under arrest have not been deprived of their right to vote. (2127) *2–53, Journal, pp. 71, 72, Record, pp. 530, 531.*

A motion to reconsider made by a Member supposed to have voted with the prevailing side was treated as a nullity when a correction of the vote showed that the Member really had voted on the side which did not prevail. (234) *1–29, Journal, p. 1032, Globe, p. 1058.*

A Member-elect may be named on a committee, but may not vote until he has taken the oath. (602) *Jefferson's Manual, Section III, p. 135.*

The Delegates from the Territories may not vote. (36) *Revised Statutes, sections 1862, 1863.*

Members may not remain near the Clerk's desk during a roll call. (10) *Rule XIV, section 7.*

A bill or resolution must be considered and voted on by itself. *1–56, Record, p. 5286.*

Two independent amendments may be voted on together, only by unanimous consent. *3–58, Record p. 1056.*

It is improper for a Member to have published in the Record the individual votes of Members on a question upon which the yeas and nays have not been entered on the Journal. (104) *2–53, Journal, p. 244, Record, p. 2905.*

VOTING—Continued.

(*b*) ***Business during.***

The motion to adjourn takes precedence of all others, but may not be received while the House is engaged in voting. (1487) *Jefferson's Manual, Section XXXIII, p. 175.*

When privileged, the motion to fix the day to which the House should adjourn was held to be in order before the announcement of a vote which had been taken. (1509) *1-26, Journal, p. 266, Globe, p. 158.*

A conference report, though highly privileged, is not in order during a roll call or while the House is dividing. (1391) *Rule XXIX.*

A division having commenced, debate is thereby precluded. (1169) *2-51, Journal, p. 157, Record, p. 1568; 2-58, Record, p. 2709.*

While the Committee of the Whole is dividing on a motion, a new motion may not be made. *3-58, Record, pp. 3530, 3531.*

If difficulty arise on a point of order during a division, the Speaker decides peremptorily, subject to future censure of the House. (1123) *Jefferson's Manual, Section XLI, p. 201.*

(*c*) ***Change and withdrawal of votes.***

Having cast his vote, a Member may not withdraw it without leave of the House. (1177) *2-53, Journal, p. 143, Record, p. 2003.*

Before the result has been finally announced by the Chair a Member may change his vote, but not thereafter. (1174–1176) *2-20, Journal, pp. 357, 358; 2-27, Journal, p. 263, Globe, p. 160; 2-53, Journal, p. 143, Record, p. 2003.*

A Member who has answered "present" on a roll call may change his record to "aye" or "no," but the rule does not permit the Speaker to entertain the request of a Member who has not answered at all to record his vote. (1178) *1-55, Record, pp. 1068–1069.*

It is not permissible to entertain the request of a Member to record his vote after he has failed to respond because his attention was distracted when his name was called. *1-57, Record, p. 2605.*

The fact that a Member responded under an erroneous belief as to a pair does not justify the Speaker in entertaining a request to change the record after a vote is declared. *2-58, Record, p. 4574.*

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. *1-57, Record, pp. 558–564, 3848.*

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. *2-58, Record, p. 4664.*

VOTING—Continued.

(*d*) ***Errors in.***

It is the right of a Member to have an erroneous record of his vote corrected after the announcement of the result. (1181, 1182) *1–38, Journal, pp. 586, 587, Globe, p. 1941; 1–52, Journal, pp. 113–115, Record, pp. 2548, 2549.*

When a Member's vote is incorrectly recorded, it is his right on the next day, while the Journal is before the House for approval, to have the proper correction made. (1179) *2–30, Journal, p. 211, Globe, p. 172; 2–57, Record, p. 2709.*

A Member may not have the record of his vote changed in the Journal upon the statement that he voted upon a misapprehension of the question, and a motion relating thereto is not privileged. (1180) *1–31, Journal, p. 1266, Globe, p. 1577.*

A vote having been erroneously announced in such a way as to change the true result, subsequent proceedings in connection therewith fall and the Journal is amended accordingly. (1184) *1–31, Journal, p. 1436, Globe, pp. 782, 783; 2–58, Journal, pp. 75, 80, Record, pp. 385, 386, 403.*

Where by an error of the Clerk in reporting the yeas and nays the Speaker announces a result different from that shown by the roll, the status of the question must be determined by the vote as actually recorded. (1183) *1–49, Record, pp. 7545, 7546; 1–57, Record, p. 5928, 5930.*

The House having voted to approve the Journal of the preceding day, a resolution relating to an alleged error in a vote of that day was decided not to present a question of privilege. (197) *2–51, Journal, p. 283, Record, p. 3083.*

(*e*) ***On vetoed bills.***

The two-thirds vote required for the passage of a vetoed bill is construed to mean two-thirds of those present. (1470, 1471) *1–34, Journal, pp. 1176, 1178, 1420, Globe, pp. 1183, 2036.*

The Constitution provides that orders, resolutions, and votes passed in concurrence by the two Houses and disapproved by the President shall be repassed by a two-thirds vote. (452) *Constitution, Article I, section 7, p. 7.*

The vote upon a bill returned with the President's objections is in all cases by yeas and nays. (1157) *Constitution, Article I, section 7, p. 7.*

(*f*) ***The electoral vote.***

The law relating to counting the electoral vote. (1766) *24 Stat. L., p. 373.*

Preparations for the counting of the electoral vote. (1767) *2–54, Record, p. 1462.*

VOTING—Continued.

(*g*) ***Elections by the House.***

The Speaker is elected by a *viva voce* vote. (56) *1-35, Journal, p. 8.*

Certain other officers of the House are elected by *viva voce* vote. (1704) *Rule II.*

After a long contest over the election of a Speaker the difficulty was finally solved by the adoption of a plurality rule, the election being subsequently confirmed by a majority vote. (4, 5) *1-31, Journal, pp. 156, 163, 164; 1-34, Globe, p. 336.*

Rules for the election of a President by the House. (1768) *2-18, Journal, pp. 213, 215, 220, 222.*

(*h*) ***Amendment to the Constitution.***

The vote required on a resolution proposing an amendment to the Constitution is two-thirds of a quorum, not two-thirds of the entire membership. (1128) *2-55, Record, p. 4826.*

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. *1-57, Record, pp. 1721-1722.*

WAR.

Declarations of war. (1772) *2-55, Record, 4252; 2 Stat. L., p. 755; 9 Stat. L., p. 9.*

WAR CLAIMS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (640) *Rule X, Rule XI, section 32.*

By special order during this Congress bills reported from the Committees on Claims and War Claims alternate in priority on Fridays other than the second and fourth of each month. *Rule XXVI, section 1 (note).*

WARRANTS.

To be signed by the Speaker. (45) *Rule I, section 4.*

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpœnas. (1712) *Rule III, section 3.*

Discussion of the authority of the Speaker to issue a warrant for the arrest of absent Members during a call of the House. *1-59, Record, pp. 7625, 7626.*

WATCHMEN.

The captain and lieutenants of the Capitol police are selected jointly by the Sergeants-at-Arms of the two Houses, and privates and watchmen are selected one-half by each of the two officials. The Clerk of the House disburses pay of one-half. *31 Stat. L., p. 963.*

WAYS AND MEANS, COMMITTEE ON.

Its powers, duties, jurisdiction, number of Members, and history. (611) *Rule X, Rule XI, section 2.*

Committee has leave to report at any time on certain measures. (398) *Rule XI, section 61.*

The right to report at any time a bill raising revenue belongs alone to the Ways and Means Committee. (404) *1-49, Record, pp. 7331, 7332.*

The words "raising revenue" in the rule giving privilege to the Ways and Means Committee are broadly construed to cover bills relating to the revenue. (408) *2-25, Record, p. 4581; 1-57, Record, p. 3847; 3-58, Record, p. 1778; 1-59, Record, pp. 2453, 2455.*

A bill affecting the internal-revenue tax on oleomargarine has been reported from the Committee on Agriculture. *2-56, Record, p. 140.*

WEIGHTS.

Subjects relating to, belong to the jurisdiction of the Committee on Coinage, Weights, and Measures. (615) *Rule XI, section 6.*

WITHDRAWAL.

(*a*) *Of amendments.*
(*b*) *Of bills and reports.*
(*c*) *Of appeals.*
(*d*) *Of points of order.*
(*e*) *Of a vote.*
(*f*) *Of papers.*
(*g*) *Of motions.* See "Motions."

(*a*) ***Of amendments.***

An amendment, whether in the nature of a substitute or not, may be withdrawn in the House at any time before an amendment or decision is had thereon. (1043) *Rule XIX.*

During consideration of a bill in the House, as in Committee of the Whole, an amendment may be withdrawn at any time before action has been had on it. (809) *2-55, Record, p. 2440.*

After general debate is closed by order of the House in Committee of the Whole, amendments are offered, debated, and amended under the five-minute rule, and an amendment once offered may be withdrawn only by unanimous consent. (913) *Rule XXIII, section 5.*

A motion to amend having been made and the previous question having been moved and seconded, the amendment may not be modified, corrected, or changed except by unanimous consent. (926) *1-28, Journal, p. 811, Globe, p. 530.*

A motion to amend may not be withdrawn after the previous question is ordered. (932) *1-51, Journal, p. 550, Record, pp. 4026, 4061.*

WITHDRAWAL—Continued.

(*b*) ***Of bills and reports.***

A bill presented by a committee under the call of committees may be withdrawn by authority of the committee. (463) *2-54, Journal, p. 77, Record, pp. 740, 764.*

A Member having presented a joint resolution on his own motion, was permitted to withdraw it, although the House was dividing on a demand for the previous question. (929) *2-29, Journal, p. 241, Globe, p. 272.*

The report of a committee having been made to the House may not be withdrawn except by unanimous consent. (703) *1-49, Journal, p. 442.*

According to the later practice, where the rules are suspended to enable a Member to submit a particular proposition, if he withdraw it another Member may not renew it. (1584, 1585) *1-23, Journal, p. 631; 2-36, Journal, pp. 131, 140, Globe, pp. 233, 235, 244.*

A committee which has presented a bill on which a second has not yet been ordered may withdraw it on a succeeding suspension day. (1574) *2-51, Journal, p. 55, Record, pp. 488, 489.*

A Member who has, by unanimous consent, presented a bill, may withdraw it while the House is dividing on an appeal from a decision relating to a proposed amendment. *3-55, Record, pp. 270, 271.*

On a motion to suspend the rules, as on other motions, a Member has the right to modify a proposition submitted by him at any time before action which places it within the control of the House. (1595) *1-50, Journal, pp. 2716, 2722, Record, p. 8232.*

(*c*) ***Of appeals.***

The ordering of the yeas and nays upon a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent, under the rule, the withdrawal of the appeal. (933) *1-51, Journal, pp. 770-772, Record, p. 6353.*

It has been held that an appeal does not fail by reason of the withdrawal of the proposition on which it is based. (1584) *1-23, Journal, p. 631.* But the more recent practice is the other way. (928) *1-26, Journal, p. 57, Globe, pp. 51, 52; 3-55, Record, pp. 270, 271.*

A motion having been presented and a point of order in relation to it having been decided, an appeal was taken and the previous question was ordered on the appeal. Thereupon the original motion was withdrawn, and all the proceedings incident to it fell. (928) *1-26, Journal, p. 57, Globe, pp. 51, 52.*

WITHDRAWAL—Continued.

(*d*) ***Of points of order.***

The point of no quorum may not be withdrawn after the absence of a quorum has been ascertained and announced by the Chair. (263, 264) *2–54, Record, p. 1077; 2–55, Record, pp. 4529, 4530; 2–59, Record, pp. 4303, 4305.*

A reserved point of order being withdrawn, a Member may at once renew it. *2–56, Record, p. 2486.*

(*e*) ***Of a vote.***

Having cast his vote, a Member may not withdraw it without leave of the House. (1177) *2–53, Journal, p. 143, Record, p. 2003.*

(*f*) ***Of papers.***

Except in certain cases, no paper presented to the House shall be withdrawn from the files without leave of the House. (1752) *Rule XXXIX.*

The House usually allows withdrawal of papers only in cases where there has been no adverse report. (1753) *1–54, Record, pp. 91, 92.*

No officer or employee of the House should produce papers of the House before a court without permission of the House. (1754) *1–46, Journal, p. 186.*

WITNESSES.

Questions of privilege have frequently arisen over the failure or refusal of witnesses to appear before committees of the House, or their refusal to testify when they have appeared. (170–175) *2–33, Journal, p. 315; 3–34, Journal, p. 241, Globe, p. 356; 1–35, Journal, pp. 258, 371, 750, 821, Globe, pp. 684, 715, 1240; 2–35, Journal, pp. 411, 430, 451; 3–40, Journal, pp. 226, 250, Globe, pp. 687, 720.*

A citizen who declined to testify concerning a betrayal of the secrets of the House was committed to the custody of the Sergeant-at-Arms. (159) *1–12, Journal, pp. 276, 277, 288, Annals, p. 1266.*

A resolution relating to a recalcitrant witness imprisoned by order of the House presents a question of privilege. (172) *1–35, Journal, p. 851, Globe, pp. 684, 715, 1240.*

It was decided in the case of Kilburn *v.* Thompson that the House has no general power to punish for contempt. (176) *103 U. S., 168.*

Case of Wolcott certified to district attorney. (172) *1–35, Journal, p. 821, Globe, pp. 684, 715, 1240.*

Witnesses are summoned in pursuance and by virtue of the authority conferred upon a committee to send for persons and papers. (1778) *1–35, Journal, p. 175, Globe, p. 304.*

Oaths to witnesses may be administered by Speaker, Chairman of Committee of the Whole, chairman of select or standing committees, or by Members. (1709) *Revised Statutes, section 101; 23 Stat. L., p. 60.*

WITNESSES—Continued.

The Chairman of the Committee of the Whole may administer oaths to witnesses in any case under its examination. (724, footnote) *Revised Statutes, section 101.*

The rule for paying witnesses. (1777) *Rule XXXVII.*

The statutes relating to witnesses. (1779) *Revised Statutes, sections 101–104, 859; 19 Stat. L., p. 41; 20 Stat. L., p. 278; 23 Stat. L., p. 60.*

WORDS TAKEN DOWN.

When a Member is called to order for words spoken in debate the words are to be taken down at once, before further debate or business has intervened. (899) *Rule XIV, section 5.*

The demand that disorderly words be taken down must be made at once, before debate intervenes. (901) *1–51, Journal, p. 994, Record, p. 9234.*

Disorderly words not having been taken down when uttered, it was held not in order to recur to them for the purpose of administering censure. (900) *2–37, Journal, p. 610.*

The words of a Member having been taken down and the Speaker having decided that they were not in order, it was held that a motion that the Member be permitted to explain had precedence of a motion that he be permitted to proceed in order. (902) *2–53, Journal, p. 132, Record, p. 1811.*

Disorderly words spoken in Committee of the Whole are written down; but the committee can only report them to the House. (1627) *Jefferson's Manual, Section XVII, p. 157.*

The Committee of the Whole having risen and reported disorderly language used by a Member, a resolution of censure was held to be in order without a prior decision by the Speaker that the remarks were in fact against order. (1635) *1–51, Journal, pp. 623–625, Record, pp. 4861, 4862, 4868, 4876.*

WRITS.

To be signed by the Speaker. (45) *Rule I, section 4.*

The Clerk attests and affixes the seal of the House to all writs, warrants, and subpœnas. (1712) *Rule III, section 3.*

YEAS AND NAYS.

(*a*) *Demanding and ordering of.*
(*b*) *The roll call.*
(*c*) *Interruption of roll call.*
(*d*) *Recapitulation of.*
(*e*) *Effect of, when ordered.*

YEAS AND NAYS—Continued.

(*f*) *In relation to quorum.*
(*g*) *Reconsideration of.*
(*h*) *Relation to Committee of the Whole.*
(*i*) *Correction of errors.*
(*j*) *General provisions.*

(*a*) ***Demanding and ordering of.***

Provisions of the Constitution relating to the yeas and nays. (1157) *Constitution, Article I, section 5, p. 6.*

The yeas and nays on any question shall be entered on the Journal at the desire of one-fifth of those present. (1157) *Constitution, Article I, section 5, p. 6.*

In passing on a demand for the yeas and nays, the Speaker need determine only whether one-fifth of those present sustains the demand. *1-59, Record, p. 7251.*

The yeas and nays may be ordered during a call of the House. (340) *1-46, Record, p. 1577.*

The yeas and nays may be demanded while the Speaker is announcing the result of a division. (1149) *1-29, Globe, p. 420.*

The yeas and nays may be called for while a vote by tellers is being taken. (1148) *2-28, Globe, p. 121.*

The yeas and nays may be demanded even after the announcement of the vote if the House has not passed to other business. (1153) *1-31, Globe, p. 277; 2-56, Record, p. 2479.*

When a question has passed from the House, the Speaker being in the act of putting the question on another motion, it is too late to demand the yeas and nays. (1154) *1-32, Journal, p. 254, Globe, p. 371.*

The constitutional right of a Member to demand the yeas and nays may not be overruled as dilatory. (1625) *2-55, Record, p. 847.*

It is not in order to repeat a demand for the yeas and nays which has once been refused. (1150–1152, 1227) *1-29, Globe, p. 304; 2-30, Globe, p. 623; 1-33, Journal, p. 939, Globe, p. 1223.*

(*b*) ***The roll call.***

Upon a roll call the names of Members are called alphabetically by surname, and after the roll has been once called the names of those not voting are called, after which the Speaker may not entertain a request to record a vote or announce a pair, except in cases where a Member's presence has been noted as part of a quorum. (1122) *Rule XV, section 1.*

The names of Members who have not been sworn are not entered on the roll from which the yeas and nays are called for entry on the Journal. *1-59, Record, p. 5485.*

YEAS AND NAYS—Continued.

(*b*) ***The roll call***—Continued.

A Member who is listening when his name should be called and fails to hear it is permitted to vote at the end of the roll call, but under other circumstances the Speaker may not entertain a request of a Member to be recorded, even though such Member may have been absent on service of the House. (1185–1187) *2–50, Record, p. 2106; 1–54, Record, pp. 3140, 6220.*

A Member who has answered "present" on a roll call may change his record to "aye" or "no," but the rule does not permit the Speaker to entertain the request of a Member who has not answered at all to record his vote. (1178) *1–55, Record, pp. 1068, 1069.*

The Speaker may not entertain the request of a Member to answer "present" at the conclusion of the roll call provided for by section 1 of Rule XV. *1–56, Record, p. 5620.*

It is not permissible to entertain the request of a Member to record his vote after he has, on the call of his name, refrained from voting because of a misunderstanding as to a pair. *2–56, Record, p. 2915.*

It is not permissible to entertain the request of a Member to record his vote after he has failed to respond because his attention was distracted when his name was called. *1–57, Record, p. 2605.*

The names of those not voting are entered on the Journal by custom, but it is not required. There is a question as to whether they must be read if required. (219, 1122) *1–51, Journal, p. 994, Record, p. 9230.*

(*c*) ***Interruption of roll call.***

A roll call may not be interrupted for debate, even for the presentation of a case of personal privilege. (1167, 1168) *1–31, Globe, p. 1686; 1–51, Journal, pp. 936, 937, Record, pp. 8345, 8352, 8373.*

The roll call may not be interrupted either for a parliamentary inquiry or a question of personal privilege. *1–57, Record, p. 3810.*

The motion to adjourn may not be received while the House is engaged in voting. (1487) *Jefferson's Manual, Section XXXIII, p. 175.*

A roll call may not be interrupted by a motion to adjourn, or that further proceedings under a call be dispensed with. (1170) *1–47, Journal, pp. 597, 641, Record, pp. 1238, 1245, 1366.*

A roll call is not interrupted by the arrival of an hour fixed for a recess by rule or prior vote of the House. (1171, 1172) *1–51, Journal, p. 934, Record, p. 8352; 2–55, Record, p. 847.*

A roll call may not be interrupted because of the arrival of the time fixed by the rules for another order of business. (1173) *1–52, Journal, pp. 61, 62, Record, p. 976.*

YEAS AND NAYS—Continued.

(*c*) ***Interruption of roll call***—Continued.

A conference report, though highly privileged, is not in order during a roll call or while the House is dividing. (1391) *Rule XXIX.*

Sometimes the Speaker interrupts a roll call when the hour for adjournment *sine die* arrives. (1523, 1526) *1-28, Journal, p. 1175, Globe, p. 696; 2-44, Journal, p. 698, Record, p. 2251.*

The roll call is interrupted for the reception of messages. (1449, footnote.)

Instance where a roll call was interrupted to declare the House adjourned *sine die.* (1365) *1-34, Journal, pp. 1427, 1484, 1516, 1518, 1600, 1602, Globe, p. 2037.*

(*d*) ***Recapitulation of.***

The recapitulation of a vote is within the discretion of the Speaker, but he usually allows it if the vote be close. (1188, 1189) *2-51, Journal, p. 182, Record, p. 1832; 1-54, Record, pp. 5206, 5207.*

After the announcement of the result a vote may be recapitulated only by unanimous consent. (1182) *1-52, Journal, pp. 113, 115, Record, pp. 2548, 2549.*

(*e*) ***Effect of, when ordered.***

A motion on which the yeas and nays have been ordered may not be withdrawn. (934) *2-53, Journal, pp. 323, 324, Record, pp. 3630, 3683.*

The ordering of the yeas and nays upon a motion to lay an appeal on the table was held to be such a "decision" by the House as would prevent the withdrawal of the appeal. (933) *1-51, Journal, pp. 770-772, Record, p. 6353.*

A division of the question may not be demanded after the question has been put and the yeas and nays have been ordered. (1139, 1140) *1-54, Record, p. 5914; 2-54, Record, p. 1042.*

After the yeas and nays have been ordered on the passage of a bill, it is too late to demand the reading of the engrossed bill. (473) *1-52, Journal, p. 225.*

A motion relating to the order of business does not recur as unfinished business on a succeeding day, even though the yeas and nays may have been ordered on it before adjournment. (374) *1-53, Journal, p. 88.*

The previous question being demanded on a resolution, and the yeas and nays ordered on that demand, a motion to lay the resolution on the table was held not in order. *2-56, Record, p. 555.*

YEAS AND NAYS—Continued.

(*f*) ***In relation to quorum.***

Where a quorum fails to vote on a yea-and-nay vote, the order for the yeas and nays remains in force. (1155, 1156) *1-49, Journal, pp. 1566, 1885, Record, pp. 4342, 5679, 5680; 1-51, Journal, p. 998, Record, p. 1277.*

When a vote taken by yeas and nays shows that no quorum has voted, it is the duty of the Chair to take notice of that fact. (254) *1-48, Journal, p. 1385; 2-56, Record, pp. 2286, 2287.*

When on division less than a quorum votes, and then tellers or the yeas and nays are refused, the point of no quorum may still be made, according to the latest ruling. (269-275) *1-51, Journal, p. 856, Record, p. 7262; 2-52, Journal, pp. 53, 58, Record, p. 834; 1-53, Journal, p. 30; 1-54, Record, pp. 3299, 5824; 2-55, Record, p. 3863; 3-58, Record, p. 600.*

A vote by yeas and nays having been without result because of the failure of a quorum, it was held that the question of consideration might not intervene on a succeeding day before the second call of the yeas and nays. (814) *1-51, Journal, p. 941, Record, p. 8432.*

In the earlier practice of the House it was held that less than a quorum might not order the yeas and nays, but for many years the decisions have been uniformly the other way. (1158-1166) *1-32, Globe, p. 1220; 3-37, Globe, p. 573; 1-45, Journal, p. 291, Record, pp. 811, 812; 3-46, Journal, p. 596, Record, p. 2446; 2-50, Record, pp. 679, 681; 1-51, Journal, p. 903, 984, Record, p. 7861; 1-53, Journal, p. 172, Record, pp. 3120, 3121; 2-55, Record, p. 4744; 2-57, Record, pp. 2912, 3010, 3011.*

Interpretations by the Speaker of section 4 of Rule XV. (288-296) *1-54, Record, pp. 4915, 6331; 2-54, Journal, p. 175, Record, pp. 152, 1132, 1142, 1658, 1858; 2-55, Record, pp. 5314, 6247.*

(*g*) ***Reconsideration of.***

The order of the yeas and nays may be reconsidered by a majority vote, but they may be demanded again and ordered by one-fifth. (1225-1229) *1-49, Journal, p. 796, Debates, pp. 2458, 2490; 1-30, Journal, p. 415, Globe, p. 344; 1-31, Globe, p. 623; 1-45, Journal, p. 290, Record, pp. 811, 812; 1-54, Record, p. 5318.*

The vote whereby the yeas and nays are refused may be reconsidered. *1-56, Record, p. 4730.*

A quorum is not necessary on a motion to reconsider the vote whereby the yeas and nays were ordered. (1230) *1-51, Record, p. 7546.*

Decisions as to demanding the yeas and nays on motions relating to a reconsideration of an order of the yeas and nays. (1228, 1229) *1-45, Journal, p. 290, Record, pp. 811, 812; 1-54, Record, p. 5318.*

YEAS AND NAYS—Continued.

(*h*) ***Relation to Committee of the Whole.***

The yeas and nays may not be taken in Committee of the Whole (742, 743) *1-26, Globe, p. 285; 1-28, Globe, p. 618.*

It is not in order for the Committee of the Whole to arrange for a yea-and-nay vote to be taken in the House. (756) *2-51, Record, p. 3270.*

Admitted while the House is acting "as in Committee of the Whole." (802) *Jefferson's Manual, Section XXX, p. 172.*

(*i*) ***Correction of errors.***

It is the right of a Member to have an erroneous record of his vote corrected after the announcement of the result. (1181, 1182) *1-38, Journal, pp. 586, 587, Globe, p. 1941; 1-52, Journal, pp. 113-115, Record, pp. 2548, 2549.*

When a Member's vote is incorrectly recorded it is his right on the next day, while the Journal is before the House for approval, to have the proper correction made. (1179) *2-30, Journal, p. 211, Globe, p. 172.*

A Member may not have the record of his vote changed in the Journal upon the statement that he voted upon a misapprehension of the question, and a motion relating thereto is not privileged. (1180) *1-31, Journal, p. 1266, Globe, p. 1577.*

The statement that a Member who is alleged to be absent has been recorded as voting should be sustained by undoubted evidence to justify the Chair in ordering the vote stricken off. *1-57, Record, pp. 558-564, 3848.*

A Member having stated on his responsibility that another Member recorded as voting on a preceding day was not then present, the Speaker ordered the correction of the Journal before its approval. *1-59, Record, p. 5258.*

The record of a yea-and-nay vote may not be impeached by showing that Members voted who were recorded as paired. *2-58, Record, p. 4664.*

Where by an error of the Clerk in reporting the yeas and nays the Speaker announces a result different from that shown by the roll, the status of the question must be determined by the vote as actually recorded. (1183) *1-49, Record, pp. 7545, 7546; 1-57, Record, pp. 5928, 5930.*

(*j*) ***General provisions.***

A conference report may be presented after the vote by tellers and pending the question on ordering the yeas and nays. (1399) *1-54, Record, p. 5916.*

YEAS AND NAYS—Continued.

(*j*) ***General provisions***—Continued.

A conference report has precedence of the question on the reference of a bill, even though the yeas and nays have been ordered. (1398) *1-52, Journal, p. 263, Record, pp. 5774, 5802.*

The House may adjourn after the yeas and nays are ordered and before they are taken. (1492) *2-54, Record, p. 2017.*

Ordering the yeas and nays is such intervening business as to justify a repetition of the motion to adjourn. (1499) *1-50, Record, pp. 2713, 2714.*

The vote upon a bill returned with the President's objections is in all cases by yeas and nays. (1157) *Constitution, Article I, section 5, p. 7.*

To become a law a vetoed bill must receive, on reconsideration, a two-thirds vote, the yeas and nays of which must be entered on the Journal. (1466) *Constitution, Article I, section 7, p. 7.*

The yeas and nays may not be demanded on the seconding of a motion to suspend the rules. (1561) *2-55, Record, p. 6172.*

The yeas and nays are not necessarily taken on the passage of a resolution proposing an amendment to the Constitution. *1-57, Record, pp. 1721, 1722.*

YIELDING THE FLOOR.

While a Member is occupying the floor he may yield it to another for explanation of the pending measure, as well as for personal explanation. (850, 851) *1-32, Journal, p. 524, Globe, p. 911; 2-33, Globe, p. 815.*

A Member having the floor in Committee of the Whole may yield to another Member to move that the committee rise without losing his right to occupy the floor at the next sitting. (846, 847) *1-31, Globe, pp. 340, 358; 2-31, Globe, p. 645.*

In the House a Member may yield the floor for a motion to adjourn without losing his right to continue when the subject shall be considered again. *1-56, Record, p. 5618.*

A Member who yields the floor to another to offer an amendment loses his right to reoccupy it. (854) *1-26, Journal, p. 248, Globe, pp. 153, 154; 2-58, Record, p. 1428.*

It has been held that under general parliamentary law a Member who yields the floor yields it entirely and may not resume it. (852, 853) *1-51, Journal, p. 209, Record, pp. 955, 1010, 1146.*

When a Member yields of his time, but retains control of the floor, an amendment may not be offered in the yielded time without his consent. (855) *2-54, Record, p. 2208.*

YIELDING THE FLOOR—Continued.

A Member who receives time from another may yield of it to a third only with the consent of the first. (856, 857) *2–54, Record, p. 1995; 2–55, Record, p. 1632.*

The time of a debate having been divided and assigned to the control of the two sides, it must be assigned to Members in accordance with the rules, no Member being allowed more than one hour. (848, 849) *1–54, Record, p. 5199; 2–54, Record, pp. 462, 465.*

Members may not yield time during the five-minute debate. (858, 859) *1–51, Record, p. 4662; 1–55, Record, p. 481; 1–57, Record, p. 6751.*

A Member who has been called to order in debate and directed to sit down may not proceed on yielded time. *2–57, Record, pp. 2926, 2927.*

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